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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92052897
Party	Defendant Galderma Laboratories, Inc.
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Signature	/Lisa N. Congleton/
Date	05/31/2012
Attachments	Registrant's Reply in Support of Registrant's Motion for Partial Summary Judgment.pdf (144 pages)(1830922 bytes)

Notably, Petitioner has not challenged Registrant's evidence that Registrant is using the mark RESTORADERM for skin care products designed for use by people suffering with the skin disorder atopic dermatitis, or eczema-prone skin. Nor has he challenged Registrant's evidence that, at no time since Registrant's predecessor-in-interest CollaGenex filed the application leading to the Registration through to the present, has there been any period in which Registrant or CollaGenex ceased using the mark with intent not to resume use. His only arguments are based on Registrant's products not being medicated, but the Trademark Office has consistently found that a non-medicated product can be a "therapy" or a "treatment" and that such products are properly classified in Class 5. As these are the only arguments Petitioner raises in opposition to Registrant's Motion, the Board should grant summary judgment in favor of Registrant.¹

II. The Registration's Identification of Goods Covers Registrant's Products

Registrant's RESTORADERM branded products are accurately described as "therapeutic skin care preparations and treatment for skin disorders," irrespective of whether Registrant's products are "medicated." The Trademark Office's consistent practice forecloses an argument that the Office considers "therapy" or "treatment," on one hand, and "non-medicated," on the other, to be mutually exclusive. As evidence of same, the Trademark Office's Acceptable Identification of Goods and Services Manual (the "ID Manual") lists the following as acceptable identifications, all of which cover non-medicated treatments or therapies:

- "Non-medicated topical gel for the prevention and treatment of cold and flu" in Class 5;
- "Non-medicated topical gel for the prevention and treatment of allergies" in Class 5; and
- "Non-medicated, therapeutic skin creams for the treatment of {indicate specific disease or condition}" in Class 5.

The Trademark Office's position that a product can be "non-medicated" and a "therapy" or "treatment" is further supported by numerous examples of issued trademark registrations covering a product

¹ Petitioner does imply that Registrant's marketing activities are deceptive or scandalous in violation of Section 2(a) of the Lanham Act. Section 2(a), however, relates to whether a mark consists of deceptive or scandalous matter, not to whether a party's activities in commerce could be considered deceptive. Further, Section 2(a) is not at issue in these

that is both “non-medicated” and a “therapy” or “treatment.” See Declaration of Lisa N. Congleton in Support of Registrant’s Reply in Support of Registrant’s Motion for Partial Summary Judgment (“Congleton Decl.”) ¶¶ 5-6, Ex. A, showing a sampling of forty-seven (47) such registrations, along with a listing summarizing the details of the registrations. Thus, a non-medicated product can certainly be described as a therapy or treatment.

In the present case, the undisputed summary judgment evidence proves that the Registration’s identification of goods accurately describes Registrant’s RESTORADERM branded products. Registrant, therefore, is using the mark in connection with the goods identified in the Registration.

III. Registrant Has Not Abandoned its Registration Due to its Class 5 Classification

The undisputed summary judgment evidence further proves that Registrant has not abandoned its rights in the mark because, irrespective of any effect a classification may have on a party’s rights, Registrant’s products do fall within the Registration’s Class 5 classification.

As an initial matter, Registrant notes that the Registration’s International Classification has no effect on Registrant’s rights in the mark. Classification is a matter of administrative convenience in the Trademark Office’s examination of an application. *In re Tee-Pak, Inc.*, 164 U.S.P.Q. 88, 89 (T.T.A.B. 1969). The classification to which an applicant’s goods is assigned does not and cannot limit the scope of an owner’s rights. *Id.* A registrant’s rights are “based on use of the mark and identification of the goods, not on the class in which the mark is registered.” *In re Omega SA*, 83 U.S.P.Q.2d 1541, 1543 (Fed. Cir. 2007); see also *Jean Patou Inc. v. Theon Inc.*, 29 U.S.P.Q.2d 1771, 1773 (Fed. Cir. 1993) (“[C]lassification is wholly irrelevant to the issue of registrability under section 1052(d), which makes no reference to classification.”). The fact that Registrant uses the mark in connection with the goods described in the Registration proves Registrant’s use of the mark.

Relevance of the Registration’s Class 5 classification aside, Registrant’s products are, indeed, appropriately classified in Class 5 as they are intended for the treatment or therapy of the skin disorder eczema

proceedings. In any event, Registrant denies that its marketing activities are deceptive or scandalous or that its mark violates Section 2(a).

as Registrant's evidence submitted with the Motion clearly shows. In the case of skin care products, proper classification in Class 3 or Class 5, or both, is determined with reference to the products' intended use or purpose, and not whether it is medicated or not. In *Jean Patou Inc.*, the Federal Circuit discussed the very issue of whether a skin care product should be classified in Class 3 or Class 5 based on such intended use, or if a single product could be properly classified in both classes. 29 U.S.P.Q.2d. at 1773. The court noted that the trademark owner's single skin care product in that case—which could be used to treat inflammatory conditions and minor skin irritations or as an astringent for the skin—had dual uses, placing it near the borderline between Class 3 and Class 5, making either class, or both, appropriate. *Id.*

The distinction between products in Class 5 versus Class 3 does not turn on whether the products are medicated or non-medicated. In fact, the Trademark Office's treatment of Class 3 goods versus Class 5 goods directly contradicts such a position. The ID Manual includes three (3) preapproved identification of goods covering non-medicated products in Class 5. *See supra* Section II. In keeping with these preapproved goods identifications, the Trademark Office has issued numerous registrations covering non-medicated products in Class 5. *See* Congleton Decl. ¶¶ 5-6, Ex. A, showing a sampling of forty-seven (47) such registrations, along with a listing summarizing the details of the registrations.

Even if classification were a determining factor, Registrant's mark is not abandoned because Registrant's products are accurately classified in Class 5 based on their intended purpose or use.

IV. Conclusion

The summary judgment evidence establishes that Registrant currently uses the RESTORADERM mark as reflected in the Registration and that Registrant at no time abandoned its rights in the mark. Petitioner has not challenged Registrant's factual allegations or evidence regarding its use of the mark on the current products or its factual allegations or evidence regarding Registrant's historical use of the mark and its continuous activities at all relevant times toward developing products covered by the Registration. Instead, Petitioner challenges only the premises that a non-medicated product can be considered a "therapy" or "treatment" and that a non-medicated product can be classified in Class 5.

Registrant's products constitute the goods described in the Registration, namely, therapeutic skin care preparations and treatment for skin disorders. To the extent that the Registration's Class 5 classification affects whether Registrant has abandoned the Registration, Registrant's products are accurately classified in Class 5 based on their purpose and intended use, which is to treat the skin disorder of eczema.

Therefore, no genuine issue of material fact regarding Petitioner's claim of abandonment need be addressed in a trial, and the Board should, accordingly, grant Registrant's Motion for Partial Summary Judgment and dismiss Petitioner's cause for abandonment of the Registration in its entirety.

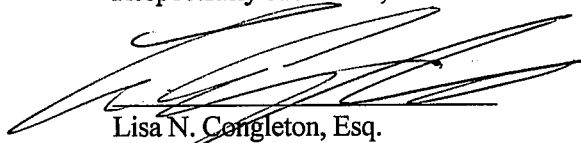
V. Petitioner's Discussion of the Parties' Discovery Activities

In his Response, Petitioner states that he expects to receive responses to his outstanding discovery requests following the Board's disposition of the Motion. Petitioner's discussion of his expectations relating to Registrant's compliance with Federal Rules of Civil Procedure does not relate to any issue before the Board, and Registrant does not believe a formal reply to this discussion is warranted. Nevertheless, Registrant assures Petitioner and the Board that it fully intends to provide responses and produce responsive documents following the Board's disposition of the Motion, and has already provided Petitioner with such assurances, along with an explanation for its deferral, *see* Petitioner's Response, Declaration of Arthur E. Jackson, Ex. H thereto, "Preliminary Statement," which Registrant respectfully submits was reasonable under the circumstances. Registrant's responses to Petitioner's discovery requests became due after Registrant filed its Motion but before the Board had issued its Notice of Suspension. The filing of a dispositive motion will generally provide the movant with good cause to cease or defer activities unrelated to the motion, even before the Board has formally suspended the proceedings. The Board's disposition of Registrant's Motion will significantly affect the relevance of many of Petitioner's discovery requests, even those that Petitioner alleges relate only to the issue of priority. In the interest of economy for both parties and with the understanding that the proceedings would shortly be suspended, Registrant notified Petitioner of its intention to defer providing unnecessary discovery responses, and Registrant has received no objection from Petitioner regarding Registrant's course of

action. Notwithstanding Registrant's good cause for deferring responses, out of an abundance of caution and to preserve its rights, Registrant did timely serve appropriate denials and objections.

Respectfully submitted,

Date: May 31, 2012



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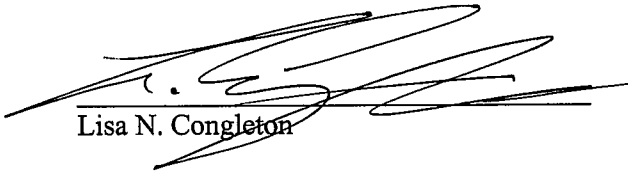
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I declare, under penalty of perjury under the laws of the United States of America and 28 U.S.C. § 1746, that the foregoing is true and correct, and that this declaration was executed this 31st day of May 2012 in Dallas, Texas.



Lisa N. Congleton

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Declaration of Lisa N. Congleton
In Support of Reply in Support of Registrant's
Motion for Partial Summary Judgment

EXHIBIT A


Summary of Third Party Registrations

Attached as Exhibit A to Declaration of Lisa N. Congleton in Support of Registrant's Reply

In Support of Registrant's Motion for Partial Summary Judgment



[illegible]


Trademark/ Reg. No.	Class	Goods/Services
		processed food in the form of liquid, powder, granule, grain, tablet, solid, semi-solid in the nature of jelly, cream, paste and capsule whose main ingredient is fish, namely, algae, mussels, crustaceans; processed food in the form of liquid, powder, granule, grain, tablet, solid, semi-solid in the nature of jelly, cream, paste, and capsule whose main ingredients are fruits, namely, fruit paste, fruit jelly, fruit powder, cream made from fruit; processed food in the form of liquid, powder, granule, grain, tablet, solid, semi-solid in the nature of jelly, cream, paste, and capsule whose main ingredient is seaweed such as kelp or its extract, namely, dried edible seaweed, processed edible seaweed, edible seaweed paste, jelly made from seaweed for food, dried edible powder made from seaweed; processed food in the form of liquid, powder, granule, grain, tablet, solid, semi-solid in the nature of jelly, cream, paste, and capsule whose main ingredient is milk; processed food in the form of liquid, powder, granule, grain, tablet, solid, semi-solid in the nature of jelly, cream, paste, and capsule whose main ingredients are eggs; soups; thick soups; bouillons; compotes; jams. edible jellies; processed bee pollen for human consumption for food purposes; milk beverages with high milk content.
	030	Non-medicinal herbal infusions and herbal teas; yeast in pill form not for medical use; royal jelly for human consumption for food purposes and not for medical use; pasta; flavorings other than essential oils; spices, pepper, cooking salt, seasonings; marzipan; rusks; biscuits; prepared processed cereals for human consumption; processed dried cereal flakes; cereal preparations, namely, breakfast cereals; muesli; processed semolina; cocoa-based beverages; tea-based beverages; chocolate-based beverages not being dairy-based or vegetable-based, coffee-based beverages, beverage flavorings, other than essential oils; thickening agents for cooking foodstuffs.
	032	Isotonic beverages; non-alcoholic fruit beverages; fruit juices; non-alcoholic beverages, namely, carbonated beverages, non-carbonated beverages, beverages containing fruit juices, beverages with tea flavor, fruit juice beverages, honey-based beverages, malt beverages; preparations for making beverages, namely, scented water for making beverages, syrup substitutes for making beverages, syrups for making beverages; essences for making soft drinks.
BODY TRENDS 4,097,464	001	Chemical preparations for removing deposits of bicarbonates, carbonates and hydroxides of calcium, magnesium and iron from ceramic, metal, porcelain, cement, brick, chrome and steel surfaces.
	003	Non-medicated personal care products, namely, shampoos and hair conditioners, skin moisturizers, human body conditioning and skin treatment lotions, human body conditioning and skin treatment creams, anti-aging and stretch mark creams, lotions and creams for hands, nails, skin, face, hair, varicose veins, foot and leg muscles and joints, depilatory lotions and creams, shaving lotions and creams; non-medicated skin care preparations, namely, lotions and creams for treating dry and damaged skin, anti-aging, firming, anti-wrinkle, stretch marks, under eye and eyelid firming; gels, namely, depilatory gels, shaving gels, shower gels, skin moisturizing and anti-aging gels, non-medicated stretch mark gels, oils, namely, bath oils, body oils, cosmetic oils, and nutritional oils for cosmetic purposes, non-medicated human body serums, petroleum jelly for cosmetic purposes, soaps, liquid soaps, bar soaps, anti-bacterial liquid soaps, anti-bacterial bar soaps, human body sprays, refresher body sprays, body washing soaps, bubble bath, body and facial scrubs, masks, namely, beauty masks, facial masks, body masks, gel eye masks, skin masks, and skin moisturizer masks, non-medicated facial peels, non-medicated skin care preparations, and wrinkle removing skin care preparations, cosmetic sun protection creams and lotions, sun creams and lotions (with or without SPF), sun block, sunless tanning creams and lotions, talcum powders; deodorants; non-medicated antibacterial mouthwash; all purpose cleaners; floor cleaners; glass cleaners; solvents; laundry bleach; household bleach; fabric softener; laundry detergents and soaps; dish detergents and soaps; impregnated and pre-moistened cleaning sheets, sponges and towelettes; personal deodorants, deodorizers for pets.
	004	Household lubricants.


Trademark/ Reg. No.	Class	Goods/Services
	005	Non-medicated skin treatments for human use for anti-aging, anti-wrinkles, skin conditioning and skin firming, namely, vitamins in the form of daytime and nighttime pills, capsules, gel caps and tablets; Hand sanitizing preparations; bars for human consumption, namely, meal replacement bars, vitamins and minerals formed and packaged as bars; meal replacement powders; shakes for human consumption, namely, meal replacement shakes, vitamins for human consumption; nutraceuticals for human use for anti-aging, anti-wrinkles, skin conditioning, skin firming, weight loss and weight maintenance, namely, pills, capsules, gel caps and tablets; antibacterial hand lotions, antibacterial alcohol skin sanitizer gel, antibacterial spray; antimicrobials for dermatological use; antimicrobial coatings to treat the growth of mold, mildew, bacteria and fungus on various surfaces; car deodorizer; household deodorizer; air deodorizer; all-purpose disinfectants; room freshener sprays.
	021	Cleaning cloths.
CALM, COOL & CORRECTED 2,891,888	005	Non-medicated skin care preparations, namely, a cream for the treatment of rosacea.
 [CLEAR FACTOR BY PHYSICIANS SKIN SOLUTIONS] 3,024,088	003	Cosmetics and hair and skin cleansing preparations, skin and hair care preparations, namely, facial and body cleansers, toners, creams, lotions, moisturizers, soaps, sunscreens, shampoo and conditioners.
	005	Acne treatments and preparations, both medicated and non-medicated.
COLLACARE 4,092,760	005	Pharmaceutical, veterinary and sanitary preparations made from or incorporating collagen for the treatment of wounds, burns and surgery in or on the human and non human body, namely, medicated and non-medicated dressings, waddings, foams, films, membranes, sponges, medicated compressors, bandages and foils.
	010	Medical and surgical instruments made from or incorporating collagen, namely, supportive surgical and medical patches, bandages, and compresses for use in skin repair and skin improvement procedures and sponges for surgical purposes, all for use on the human and non-human body.
COLLAFILM 4,097,805	005	Pharmaceutical, veterinary and sanitary preparations for the treatment of wounds, burns and surgery on the human and non-human body; medicated and non-medicated dressings, waddings, foams, films, membranes, sponges, medicated compressors, bandages and foils; creams, lotions and gels made of or incorporating collagen for topical use; surgical implants comprising organic material, namely, collagen for use in skin repair and skin improvement; surgical and medical implant devices comprising organic material composed of collagen.



Trademark/ Reg. No.	Class	Goods/Services
	042	Medical and scientific research services in the field of collagen based drug delivery systems; Medical and scientific research services for medical, veterinary and pharmaceutical purposes, scientific research, namely, chemistry and biochemistry, consultancy services relating to scientific research into the development of medical and surgical products, contract scientific research services, scientific research and development of medical and surgical products for others, laboratory scientific research services relating to medical and surgical products, industrial analysis services, namely, collagen based analysis services for medical, veterinary and pharmaceutical purposes.
COLLAGUARD 3,662,407	005	Pharmaceutical, veterinary and sanitary preparations made from or incorporating collagen for the treatment of wounds, burns and surgery in or on the human and non-human body, namely, medicated and non-medicated dressings, wadding, foams, films, membranes, sponges, medicated compresses, bandages and foils.
	010	Medical and surgical instruments, namely, supportive surgical and medical patches, bandages, and compresses for use in skin repair and skin improvement procedures and sponges for surgical purposes, all for use on the human and non-human body.
COLLARX 3,608,135	005	Pharmaceutical, veterinary and sanitary preparations made from or incorporating collagen for the treatment of wounds, burns and surgery in or on the human and non-human body, namely, medicated and non-medicated dressings, wadding, foams, films, membranes, sponges, medicated compresses, bandages and foils.
	042	Medical and scientific research services for medical, veterinary and pharmaceutical purposes, scientific research, namely, chemistry and biochemistry, consultancy services relating to scientific research into the development of medical and surgical products, contract scientific research services, scientific research and development of medical and surgical products for others, laboratory scientific research services relating to medical and surgical products, industrial analysis services, namely, collagen based analysis services for medical, veterinary and pharmaceutical purposes.
	044	Medical assistance services, namely, pharmaceutical and veterinary assistance services.
DEFENSE WHERE IT MATTERS MOST 4,022,673	003	Cleansing creams.
	005	Non-medicated topical gel for the prevention and treatment of cold and flu.
DRBRAHM'S 3,982,741	005	Medicated lotions for the face, and body; Non-medicated, therapeutic skin creams for the treatment of anti-aging, eyes, fading, acne, and sun damage; medicated skin care preparations.
EASYNURSE 3,053,260	005	Non-medicated preparations for topical treatment of burns, scratches, minor cuts and wounds, dry, chapped and cracked skin.

Trademark/ Reg. No.	Class	Goods/Services
FIRST LINE 2,418,013	005	Prescription pharmaceutical preparations, namely, those for use in the treatment and prevention of cancer, infectious diseases, asthma, diabetes, arthritis, glaucoma, osteoporosis, hypertension, emphysema, menopause, allergy, cardiovascular diseases, and inflammatory diseases and for use as anesthetics and analgesics; non-prescription pharmaceutical preparations, namely, bronchial mist, canned liquid nutrition for use as a meal replacement, eye drops, artificial tears, eyewash, eye lubricant, liquid pediatric electrolyte, saline solution for contact lenses, daily cleaner for contact lenses, medicated and non-medicated disposable liquid douche, cough and cold preparations for adults and children, acetaminophen for adults and children, acetaminophen drops for adults and infants, aspirin and buffered aspirin, enteric-coated aspirin, allergy tablets, nasal decongestants and sprays, antihistamines, antidiarrheal preparations, liquid bismuth dairy digestive supplements, cold and allergy liquid elixirs, fiber powder for use as a laxative, ibuprofen, liquid antacid, non-aspirin cold, flu and sinus preparations, pediatric and adult pain relievers, expectorants, throat syrups, throat lozenges, cough suppressants, liquid preparations for coughs and colds, miconazole, miconazole nitrate cream, minoxidil, glucose for the medical treatment of low blood sugar, milk of magnesia. laxatives, stool softeners, anesthetic creams, anti-itch preparations, antibiotic preparations, athlete's foot preparations, bacitracin ointment, calamine lotion, cool/hot ointments and muscle rubs, diaper rash ointments, drawing salves, infant gas relief drops, 1% hydrocortisone preparations, liquid wart remover, povidone solution for use as an anti-infective, vitamins A and D ointment, vaporizing ointment, zinc oxide ointment, acne medication, pads, and cream, antiseptic mouth rinse, jelly for use as a personal lubricant, vaginal cream, medicated skin cream, magnesium citrate for use as a laxative, peroxide for medical use, glycerine for use as a laxative, isopropyl alcohol and ethyl alcohol for medical use on skin, witch hazel and hydrogen peroxide for medical use, therapeutic skin preparations, medicated powders, anti-gas and antacid preparations, calcium antacid tablets, heartburn relief tablets, alertness tablets, sleeping tablets, motion sickness tablets, glycerin suppositories, medicated callous and corn removers, epsom salts, ovulation predictor kits, clortrimazole cream, alcohol swabs for medical use, antibacterial soap, capsaicin liquid, arthritis cream, medicated, dandruff, and lice killing shampoo, boric acid powder for medical use, iodine, salt tablets, medicated rubbing compound, mineral oils, rectal suppositories, anti-allergy tablets for symptomatic relief of upper respiratory allergies, topical anesthetic creams and ointments, anti-cavity and anti-plaque mouth rinses, appetite suppressants, analgesics tablets and elixirs; vitamins, minerals and natural dietary and herbal supplements.
FIRST LINE 2,391,003	005	Prescription pharmaceutical preparations, namely, those for use in the treatment and prevention of cancer, infectious diseases, asthma, diabetes, arthritis, glaucoma, osteoporosis, hypertension, emphysema, menopause, allergy, cardiovascular diseases, and inflammatory diseases and for use as anesthetic and analgesics. Non-prescription pharmaceutical preparations, namely, bronchial mist, canned liquid nutrition for use as a meal replacement, eye drops, artificial tears, eyewash, eye lubricant, liquid pediatric electrolyte, saline solution for contact lenses, daily cleaner for contact lenses, medicated and non-medicated disposable liquid douche, cough and cold preparations for adults and children, aspirin and buffered aspirin, enteric-coated aspirin, allergy tablets, nasal decongestants and sprays, antihistamines, antidiarrheal preparations, liquid bismuth dairy digestive supplements, cold and allergy liquid elixirs, fiber powder for use as a laxative, ibuprofen, liquid antacid, non-aspirin cold, flu and sinus preparations, pediatric and adult pain relievers, expectorants, throat syrups, throat lozenges, cough suppressants, liquid preparations for coughs and colds, miconazole, miconazole nitrate cream, minoxidil, glucose for the medical treatment of low blood sugar, milk of magnesia, laxatives, stool softeners, anesthetic creams, anti-itch preparations, antibiotic preparations, athlete's foot preparations, bacitracin ointment, calamine lotion, cool/hot ointments and muscle rubs, diaper rash ointments, drawing salves, infant gas relief drops, 1% hydrocortisone preparations, liquid wart remover, povidone solution for use as anti-infective, vitamins a and d ointment, vaporizing ointment, zinc oxide ointment, acne medication, pads, and cream, antiseptic mouth rinse, jelly for use as a personal lubricant, vaginal cream, medicated skin cream magnesium citrate for use as a laxative, peroxide for medical use, glycerine for use as a laxative, isopropyl alcohol and ethyl alcohol for medical use on skin, witch hazel and hydrogen peroxide for medical use, therapeutic skin preparations, medicated powders, anti-gas and antacid preparations, calcium antacid tablets, heartburn relief tablets, alertness tablets, sleeping tablets. Motion sickness tablets, glycerin suppositories, medicated callous and corn removers, epsom salts, ovulation predictor kits for home use, clortrimazole cream, alcohol swabs for medical use, antibacterial soap, capsaicin liquid,

Trademark/ Reg. No.	Class	Goods/Services
		arthritis cream, medicated, dandruff, and lice killing shampoo, boric acid powder for medical use iodine salt tablets medicated acid powder for medical use iodine salt tablets medicated rubbing cream, mineral oils, rectal suppositories, anti-allergy tablets for symptomatic relief of upper respiratory allergies, topical anesthetic creams and ointments, anti-cavity and anti-plaque mouth rinses, appetite suppressants, analgesics tablets and elixirs; vitamins, minerals and natural dietary and herbal supplements.
GEL-CARE 2,265,643	005	Non-medicated gel sheet for the treatment and management of scars.
 [GEL-CARE] 3,794,896	005	Non-medicated gel sheet for the treatment and management of scars.
 [GLORY ROSE NATURAL PRODUCTS] 3,936,935	005	Aromatherapy body care products for treatment of headaches, for relieving stress and treatment of insomnia, namely, body lotion, shower gel, cuticle cream, shampoo, conditioner, non-medicated lip balm, soap, body polish, body and foot scrub, and non-medicated foot cream.
GYNEMEDIC 3,117,588	005	Feminine hygiene cleansing towelettes; feminine hygiene pads; gels for use as personal lubricant; meal replacement and dietary supplement drink mixes; medical lubricant, namely, vaginal lubricants; progesterone and testosterone supplement creams; non-medicated menstrual symptom treatment supplements; tampons and sanitary napkins; vitamin, herbal, dietary, and mineral supplements.
HERBALAB 2,802,603	005	Non-medicated herbal skin care preparations, namely, topical solutions for treatment of and relief from eczema, dermatitis, acne, psoriasis, herpes and muscle soreness; vitamins.
KOLLASTIN 4,076,291	005	Ingredient complex for non-medical skin care preparations, namely, face creams, gels and lotions; non-medicated blemish and acne treatment creams, gels, and lotions; cleansing creams, gels, and lotions. This complex specifically excludes hair care products.
LITTLE REMEDIES 3,599,957	005	Non-medicated products for infants and young children, namely, saline solutions for relief of stuffy or dry noses; stuffy nose kits consisting of saline solutions for relief of stuffy or dry noses and nasal aspirators; throat pops for relief of sore throats; chest rub to clear congestion, cough, and reduce body inflammation; and gripe water preparation for treatment of intestinal gas.

Trademark/ Reg. No.	Class	Goods/Services
MENTORUB 2,561,446	005	Non-medicated roll-on ointment preparations for the treatment of respiratory ailment symptoms.
MOISTUREL 1,362,813	003 005	Hand and body lotion. Non-medicated therapeutic hand and body lotion preparations.
MUMOMEGA 3,285,499	005 029 031	Pharmaceutical preparations for the treatment of rheumatoid arthritis, high blood pressure, diabetes, atopic eczema, inflammation, cancer, multiple sclerosis and premenstrual syndrome, and for maintaining healthy hair and skin, maintaining the circulatory system, maintaining the mind and nervous system including retinal and brain cell function, maintaining hormonal balance, maintaining normal gastrointestinal function, managing the musculoskeletal system and maintaining a healthy reproductive system; dietetic foods adapted for medical use; infants' and invalids' foods, namely, nutritional supplements in the form of drinks and chewy foods; vitamin preparations; non-medicated food supplements; dietary and nutritional supplements; dietary and nutritional supplements for animals; and additives to fodder for medical purposes. Edible oils and fats; fish oil; evening primrose oil; thyme oil; and processed edible seeds. Living plants and foodstuffs for animals and unprocessed edible seeds
MYBODY 4,036,354	005	Medicated skin care preparations; Medicated skin care preparations, namely, creams, lotions, gels, toners, cleaners and peels; Medicinal creams for skin care; Non-medicated, therapeutic skin creams for the treatment of acne; Nutritional supplements for promoting healthy skin; Nutritional supplements in lotion form sold as a component of nutritional skin care products; Vaginal moisturizers; Vaginal preparations, namely, antifungals; Vaginal washes.
 [MYBODY] 4,029,952	005	Dietary and nutritional supplements; Medicated skin care preparations; Medicated skin care preparations, namely, creams, lotions, gels, toners, cleaners and peels; Medicinal creams for skin care; Non-medicated, therapeutic skin creams for the treatment of acne; Nutraceuticals for use as a dietary supplement; Nutritional supplements for promoting healthy skin; Nutritional supplements in lotion form sold as a component of nutritional skin care products; Vaginal moisturizers; Vaginal preparations, namely, antifungals; Vaginal washes; Vitamins and vitamin preparations.
NASALGUARD ALLERGIE BLOCK 4,119,181	005	Non-medicated topical gel for the prevention and treatment of allergies.
NATURE'S GATE ORGANICS 2,743,235	003 005	Hair shampoo; hair conditioners; hair rinses; sun tan lotion; after-bath splash-on, namely, skin lotion, perfume, and [body refresher;] facial masks; hand and skin lotion; skin moisturizer; skin cream; toothpaste; personal deodorants; [non-medicated scalp treatment cream; non-medicated ointment for the treatment of burns; rashes and minor skin disorders]. Non-medicated preparations for scalp care and treatment of dandruff; dandruff shampoo[; medicated ointment for the treatment of burns; rashes

Trademark/ Reg. No.	Class	Goods/Services
		and minor skin disorders].
NOAH'S KINGDOM 2,163,103	003 005	Non-medicated grooming preparations for cats, dogs and birds, namely, skin and feather conditioner, shampoo and coat conditioner, shampoo and herbal coat dip, liquid coat conditioner, powder coat conditioner, non-medicated ear wash for pets, aromatic and herbal astringent spray skin cleanser and toner for pets. Vitamin, mineral and herbal supplements for cats, dogs and birds; laxatives for pets; non-medicated homeopathic remedies for the treatment of allergies, skin, itching, joint stiffness, anxiety and nervousness, and digestion in pets; and non-medicated herbal first aid ointment for pets.
 [NOPSOR] 4,121,124	003 005	Anti-aging cream; Bath soaps in liquid, solid or gel form; Beauty creams; Cosmetic soaps; Cream soaps; Face and body creams; Hair shampoo; Hand creams; Liquid soaps for hands, face and body; Medicated soaps; Natural soap bars; Non-medicated preparations all for the care of skin, hair and scalp; Non-medicated scalp treatment cream; Non-medicated skin care creams and lotions; Non-medicated skin creams; Organic soap bars; Skin cleansing cream; Soaps for personal use. Antibiotic creams; Antifungal creams for medical use; Gels, creams and solutions for dermatological use; Medicated cosmetics; Medicated creams for treating dermatological conditions; Medicated dermatological preparations and substances; Medicated shampoo; Medicated skin care preparations, namely, creams, lotions, gels, toners, cleaners and peels; Medicinal creams for skin care; Non-medicated, therapeutic skin creams for the treatment of psoriasis; Topical gel for medical and therapeutic treatment of psoriasis.
NOPSOR 4,121,125	003 005	Bath cream; Bath soaps; Bath soaps in liquid, solid or gel form; Beauty creams; Beauty creams for body care; Face and body beauty creams; Face and body creams; Face creams; Face creams for cosmetic use; Facial cream; Hand creams; Liquid soaps; Liquid soaps for hands, face and body; Medicated soaps; Non-medicated skin creams; Skin creams; Soaps for body care; Soaps for personal use. Antibiotic creams; Gels, creams and solutions for dermatological use; Medicated creams for treating dermatological conditions; Medicated skin care preparations, namely, creams, lotions, gels, toners, cleaners and peels; Medicinal creams for skin care; Multipurpose medicated antibiotic cream, analgesic balm and mentholated salve; Non-medicated, therapeutic skin creams for the treatment of psoriasis.
NT CANINE 4,087,108	005	Non-medicated, therapeutic powders for the treatment of skin irritation, hot spots, smelly coat and ear infection for use on pets.
NUTRA BURN 3,978,441	005	Non-medicated nutraceutical skin cream and spray for treatment of burns.
OBLITERATE 3,959,800	005	Non-medicated, therapeutic skin creams for the treatment of acne.

Trademark/ Reg. No.	Class	Goods/Services
 P.E.T. PURE EFFICIENT TREATMENT 2,452,472	003 005	Preparations for dogs, cats, and horses, namely, non-medicated shampoo, lotions, creams and conditioners used for grooming and cleaning. Preparations for dogs, cats, and horses, namely, non-medicated shampoo, lotions, creams and conditioners used for the treatment of infections.
PERSONAL PROTECTION BY CHOICE 4,064,817	005	Antibacterial alcohol skin sanitizer gel; Antibacterial cleaners; Antibacterial hand lotions; Antibacterial handwash; Antibacterial pharmaceuticals; Antibacterial spray; Antibacterial substances for medical purposes; Antibacterial/antimicrobial tape for the purpose of destroying bacteria, mold and mildew; Medical cleansers for skin and wounds; Medicated lotions for dry skin; Medicinal creams for skin care; Non-medicated, therapeutic skin creams for the treatment of dry skin and healthy hands and feet; Pharmaceutical products for skin care for animals; Pharmaceutical skin lotions; Preparations for cleansing the skin for medical use; Products and preparations for cleansing the skin for medical use.
PROVSEAL 2,758,842	005	Non-medicated protective dental and gingivatal barrier, coating and sealant in liquid or gel form, for preventative, prophylactic and therapeutic oral use in dogs and cats.
SCARSTICK 4,102,336	005	Medicated skin care preparations; Medicated skin preparation for use in treating damaged skin and tissue; Non-medicated, therapeutic skin creams for the treatment of damaged skin and tissue; Pharmaceutical preparations and substances for the treatment of damaged skin and tissue.
SILICLEAR COMPLEX 3,952,272	005	Non-medicated cosmetic preparations in the nature of topical silicone ointments, gels and sprays for the treatment and prevention of scar tissue.
 [THE BEST FOR YOUR BABY, NATURALLY!] 3,964,990	005	Medicated diaper rash ointments and lotions; Medicated skin preparation for use in treating infant skin problems; Non-medicated, therapeutic skin creams for the treatment of infant skin problems.
U.S. FAVORITE 4,095,916	003	Non-medicated plant based hair treatment preparations for damaged hair, itchy scalp, dandruff, hair loss and/or gray/white hair, namely, hair balsam, hair moisturizing lotion, hair oil, hair tonic, hair shampoo, hair conditioner, hair spray, hair gel, hair mousse, hair nourisher, hair colorant; non-medicated animal based skin care preparations for dry skin, skin cut and scar, and for lightening skin color, namely, skin whitening cream,

Trademark/ Reg. No.	Class	Goods/Services
	005	skin moisturizing cream, sun tan lotion, body lotion, facial cream, facial lotion, eye lotion, beauty lotion; non-medicated plant based sole skin treatment preparations for toxin discharging, namely, adhesive sole skin peel, cosmetic peel; bath soaps, beauty soap, disinfectant soaps; body and beauty care cosmetics, cosmetics, cosmetic preparations for bath and shower; detergents for household use, laundry detergents. Medicated balm for relief of pain, alcohol for topical use, almond oil for relief of pain, analgesic and muscle relaxant, analgesic balm, analgesic preparations, aromatherapy oils for relieving stress, herbal topical balms, liniment and ointments for the relief of aches and pain, non-medicated topical balms for the treatment of pain and aches, liniment and ointments for relief of pain, topical analgesics, topical preparations for relief of pain, dietary and nutritional supplements, dietary food supplements, vitamin supplements, dietary and nutritional supplements, containing fish oil, red oriental mushroom spore oil as a dietary food supplement.
ULTRA THERABALM 3,817,347	005	Non-medicated poultices for therapeutic applications for and to horses.
XARACOLL 4,092,973	005 010	Pharmaceutical, veterinary and sanitary preparations for the treatment of wounds, burns and surgery in or on the human and non-human body, namely, medicated and non-medicated dressings, waddings, foams, films, membranes, sponges, medicated compresses, bandages and foils for use in skin repair and skin improvement procedures, surgical and medical implant devices made from or incorporating collagen, all for wound management and pain relief. Medical and surgical instruments, namely, supportive surgical and medical patches, bandages, compresses and implants for use in skin repair and skin improvement procedures and sponges for surgical purposes, all for use in wound management and pain relief in or on the human or non-human body.
YOUR LIFE. MORE RADIANT. 3,969,051	003 005	Cosmetics for skin care; non-medicated skin care preparation. Non-medicated therapeutic skin care products made from active ingredients, supplements, plant extracts, vitamins and minerals for treatment of DNA damage and collagen damage.
ZETPIL 4,045,198	005	Caffeine preparations for stimulative use; Calcium supplements; Cardiovascular pharmaceuticals; Cardiovascular treatment preparations; Chemotherapeutics; Dietary and nutritional supplements; Dietary and nutritional supplements for endurance sports; Dietary and nutritional supplements used for weight loss; Dietary food supplements; Dietary supplements; Dietary supplements for controlling cholesterol; Fungal medications; Glaucoma agents; Headache treatment preparations; Herbal supplements; Herbal topical creams, gels, salves, sprays, powder, balms, liniment and ointments for the relief of aches and pain; Homeopathic supplements; Hormones; Lysine preparations; Medicinal herb extracts; Medicinal herbal extracts for medical purposes; Medicinal herbal preparations; Medicinal preparations for the mouth to be applied in the form of drops, capsules, tablets and compressed tablets; Medicinal roots; Medicines for the treatment of gastrointestinal diseases; Micro-nutrient animal feed; Mineral food supplements; Mineral supplements; Mixed vitamin preparations; Multi-vitamin preparations; Multivitamin preparations; Natural dietary supplements for treatment of claustrophobia; Natural herbal supplements; Natural supplements for treating candida; Natural supplements for treating depression and anxiety; Natural supplements for treating erectile dysfunction; Non-medicated additives for animal feed for use as nutritional supplements; Non-medicated, therapeutic skin creams for the treatment of sleep; Nutraceuticals for use as a dietary

Trademark/ Reg. No.	Class	Goods/Services
		supplement; Nutraceuticals for use as a dietary supplement for relief of ailments; Nutritional additives for livestock feed for medical purposes; Nutritional additives for medical purposes for use in foods and dietary supplements for human consumption; Nutritional additives for medical purposes used in foods and dietary supplements for human consumption; Nutritional additives to foodstuffs for animals, for medical purposes; Nutritional supplements. Nutritional supplements in lotion form sold as a component of nutritional skin care products; Pharmaceutical preparation for skin care; Pharmaceutical preparations acting on the central nervous system; Pharmaceutical preparations and substances for the treatment of damaged skin and tissue; Pharmaceutical preparations and substances for the treatment of psychiatric diseases and disorders; Pharmaceutical preparations for skin care; Pharmaceutical preparations for the treatment of eye diseases and conditions; Pharmaceutical preparations for the treatment of immune system related diseases and disorders; Pharmaceutical preparations for the treatment of kidney diseases; Pharmaceutical preparations for treating and preventing tendon and muscle injuries and disorders, sports related injuries, and for knee cartilage regeneration; Pharmaceutical preparations for wounds; Pharmaceutical preparations, namely, antidepressants; Pharmaceutical preparations, namely, appetite suppressants; Pharmaceutical skin lotions; Pharmaceutical solutions used in dialysis; Prenatal vitamins; Preparations for destroying parasites; Preparations for the treatment of asthma; Protein supplements; Sports cream for relief of pain; Steroids; Suppositories; Vitamin and mineral preparations for use as ingredients in the food and pharmaceutical industry; Vitamin and mineral supplements; Vitamin D preparations; Vitamin preparations; Vitamin supplements; Vitamins; Vitamins and dietary food supplements for animals; Vitamins and vitamin preparations.
ZINO 1,451,725	005	Medicated and non-medicated shields and pads for the treatment of corns, callouses and bunions.

D-2066504_1.DOC



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ALLURI DERM

THERAPEUTIC HEALING
 FROM THE GREEN EARTH

Word Mark	ALLURI DERM THERAPEUTIC HEALING FROM THE GREEN EARTH
Translations	The wording "alluri" has no meaning in a foreign language.
Goods and Services	IC 005. US 006 018 044 046 051 052. G & S: Non-medicated, therapeutic skin creams for the treatment of eczema, psoriasis, dermatitis and rashes. FIRST USE: 20090501. FIRST USE IN COMMERCE: 20090501
Mark Drawing Code	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
Trademark Search Facility Classification Code	SHAPES-MISC Miscellaneous shaped designs
Serial Number	85029230
Filing Date	May 3, 2010
Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	October 5, 2010

Registration Number 3893488
Registration Date December 21, 2010
Owner (REGISTRANT) Viraxid Corporation CORPORATION GEORGIA PO Box 2943
Cleveland GEORGIA 30528
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "DERM" APART
FROM THE MARK AS SHOWN
Description of Mark Color is not claimed as a feature of the mark. The mark consists of the stylized
wording "Alluri Derm Therapeutic Healing From The Green Earth".
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Auspect Skincare

Word Mark AUSPECT SKINCARE

Goods and Services IC 003. US 001 004 006 050 051 052. G & S: Cosmetic creams for skin care; After sun creams; Age spot reducing creams; Anti-aging cream; Anti-aging creams; Anti-freckle creams; Anti-wrinkle cream; Anti-wrinkle creams; Beauty creams; Beauty creams for body care; Body cream; Body cream soap; Body creams; Cosmetic cleansing creams; Cold cream; Cold creams; Cosmetic creams; Cosmetic preparations, namely, firming creams; Cream soaps; Creamy face powder; Creamy foundation; Exfoliant creams; Eye cream; Face and body beauty creams; Face and body creams; Face creams; Face creams for cosmetic use; Facial cream; Facial creams; Fair complexion cream; Massage creams; Moisturizing creams; Night cream; **Non-medicated** skin creams; **Non-medicated** skin care preparations, namely, creams, lotions, gels, toners, cleaners and peels; **Non-medicated** skin care creams and lotions; Perfumed creams; Scented body lotions and creams; Skin and body topical lotions, creams and oils for cosmetic use; Skin cleansing cream; Skin conditioning creams for cosmetic purposes; Skin cream; Skin creams; Skin lightening creams; Skin whitening creams; Wrinkle resistant cream. FIRST USE: 20100603. FIRST USE IN COMMERCE: 20100603

IC 005. US 006 018 044 046 051 052. G & S: Pharmaceuticals for the treatment of skin conditions and sanitary preparations for medical use; Antibiotic creams; Herbal topical creams, gels, salves, sprays, powder, balms, liniment and ointments for the relief of aches and pain; Medicated skin care preparations, namely, creams, lotions, gels, toners, cleaners and peels; Medicinal creams for

skin care; Multipurpose medicated antibiotic cream, analgesic balm and mentholated salve; **Non-medicated, therapeutic** skin creams for the treatment of skin conditions; Medical cleansers for skin and wounds; Cleansing solutions for medical use; Medicated serums for treatment of skin. FIRST USE: 20100603. FIRST USE IN COMMERCE: 20100603

Standard Characters Claimed

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Serial Number

85033009

Filing Date

May 7, 2010

Filing Basis

1A

Original Filing Basis

1B

Published for Opposition

October 12, 2010

Registration Number

3994945

Registration Date

July 12, 2011

Owner

(REGISTRANT) AUSEPT SKINCARE INTERNATIONAL IP PTY. LTD.
CORPORATION AUSTRALIA 12-16 GARDEN BOULEVARD UNIT 12 DINGLEY VILLAGE AUSTRALIA 3172

Assignment Recorded

ASSIGNMENT RECORDED

Attorney of Record

Kevin M. Pasquinelli

Disclaimer

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SKINCARE" APART FROM THE MARK AS SHOWN

Type of Mark

TRADEMARK

Register

PRINCIPAL

Live/Dead Indicator

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BEAUTY GAR

Word Mark Goods and Services

BEAUTY GARDEN

IC 005. US 006 018 044 046 051 052. G & S: Nutritional supplements for dietetic and medical use; dietetic beverages adapted for medical purposes; dietetic foods adapted for medical purposes; preparations of trace elements for human consumption, namely, dietary and nutritional supplements; vitamin preparations; herbal teas for medicinal purposes; herbal teas for medical purposes adapted for medical use; **therapeutic non-medicated** preparations for the bath; herbal mud packs for **therapeutic** purposes for use in bathing; food for babies

IC 029. US 046. G & S: Algae extracts for food in the nature of dried edible algae; protein beings foodstuffs for human consumption; processed food in the form of liquid, powder, granule, grain, tablet, solid, semi-solid in the nature of jelly, cream, paste, and capsule whose main ingredients are vegetables, namely, vegetable oil, vegetable paste, jelly made from vegetables, cream made from vegetables, vegetable powder, granule made from vegetables; processed food in the form of liquid, powder, granule, grain, tablet, solid, semi-solid in the nature of jelly, cream, paste and capsule whose main ingredient is fish, namely, algae, mussels, crustaceans; processed food in the form of liquid, powder, granule, grain, tablet, solid, semi-solid in the nature of jelly, cream, paste, and capsule whose main ingredients are fruits, namely, fruit paste, fruit jelly, fruit powder, cream made from fruit; processed food in the form of liquid, powder, granule, grain, tablet, solid, semi-solid in the nature of jelly, cream, paste, and capsule whose main ingredient is seaweed such as kelp or its extract, namely, dried edible seaweed, processed edible seaweed, edible seaweed paste, jelly

made from seaweed for food, dried edible powder made from seaweed; processed food in the form of liquid, powder, granule, grain, tablet, solid, semi-solid in the nature of jelly, cream, paste, and capsule whose main ingredient is milk; processed food in the form of liquid, powder, granule, grain, tablet, solid, semi-solid in the nature of jelly, cream, paste, and capsule whose main ingredients are eggs; soups; thick soups; bouillons; compotes; jams. edible jellies; processed bee pollen for human consumption for food purposes; milk beverages with high milk content

IC 030. US 046. G & S: non-medicinal herbal infusions and herbal teas; yeast in pill form not for medical use; royal jelly for human consumption for food purposes and not for medical use; pasta; flavorings other than essential oils; spices, pepper, cooking salt, seasonings; marzipan; rusks; biscuits; prepared processed cereals for human consumption; processed dried cereal flakes; cereal preparations, namely, breakfast cereals; muesli; processed semolina; cocoa-based beverages; tea-based beverages; chocolate-based beverages not being dairy-based or vegetable-based, coffee-based beverages, beverage flavorings, other than essential oils; thickening agents for cooking foodstuffs

IC 032. US 045 046 048. G & S: Isotonic beverages; non-alcoholic fruit beverages; fruit juices; non-alcoholic beverages, namely, carbonated beverages, non-carbonated beverages, beverages containing fruit juices, beverages with tea flavor, fruit juice beverages, honey-based beverages, malt beverages; preparations for making beverages, namely, scented water for making beverages, syrup substitutes for making beverages, syrups for making beverages; essences for making soft drinks

Mark Drawing Code	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
Serial Number	79059258
Filing Date	May 20, 2008
Filing Basis	66A
Original Filing Basis	66A
Published for Opposition	March 23, 2010
Registration Number	3799633
International Registration Number	0978319
Registration Date	June 8, 2010
Owner	(REGISTRANT) SOTHYS AURIAC Société en nom collectif FRANCE Le Bourg F-19220 Auriac FRANCE
Prior Registrations	3066098
Description of Mark	Color is not claimed as a feature of the mark.
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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BODY TRENDS

Word Mark BODY TRENDS

Goods and Services IC 001. US 001 005 006 010 026 046. G & S: Chemical preparations for removing deposits of bicarbonates, carbonates and hydroxides of calcium, magnesium and iron from ceramic, metal, porcelain, cement, brick, chrome and steel surfaces

IC 003. US 001 004 006 050 051 052. G & S: **Non-medicated** personal care products, namely, shampoos and hair conditioners, skin moisturizers, human body conditioning and skin **treatment** lotions, human body conditioning and skin **treatment** creams, anti-aging and stretch mark creams, lotions and creams for hands, nails, skin, face, hair, varicose veins, foot and leg muscles and joints, depilatory lotions and creams, shaving lotions and creams; **non-medicated** skin care preparations, namely, lotions and creams for treating dry and damaged skin, anti-aging, firming, anti-wrinkle, stretch marks, under eye and eyelid firming; gels, namely, depilatory gels, shaving gels, shower gels, skin moisturizing and anti-aging gels, **non-medicated** stretch mark gels, oils, namely, bath oils, body oils, cosmetic oils, and nutritional oils for cosmetic purposes, **non-medicated** human body serums, petroleum jelly for cosmetic purposes, soaps, liquid soaps, bar soaps, anti-bacterial liquid soaps, anti-bacterial bar soaps, human body sprays, refresher body sprays, body washing soaps, bubble bath, body and facial scrubs, masks, namely, beauty masks, facial masks, body masks, gel eye masks, skin masks, and skin moisturizer masks, **non-medicated** facial peels, **non-medicated** skin care

preparations, and wrinkle removing skin care preparations, cosmetic sun protection creams and lotions, sun creams and lotions (with or without SPF), sun block, sunless tanning creams and lotions, talcum powders; deodorants; **non-medicated** antibacterial mouthwash; all purpose cleaners; floor cleaners; glass cleaners; solvents; laundry bleach; household bleach; fabric softener; laundry detergents and soaps; dish detergents and soaps; impregnated and pre-moistened cleaning sheets, sponges and towelettes; personal deodorants, deodorizers for pets

IC 004. US 001 006 015. G & S: Household lubricants

IC 005. US 006 018 044 046 051 052. G & S: **Non-medicated** skin **treatments** for human use for anti-aging, anti-wrinkles, skin conditioning and skin firming, namely, vitamins in the form of daytime and nighttime pills, capsules, gel caps and tablets; Hand sanitizing preparations; bars for human consumption, namely, meal replacement bars, vitamins and minerals formed and packaged as bars; meal replacement powders; shakes for human consumption, namely, meal replacement shakes, vitamins for human consumption; nutraceuticals for human use for anti-aging, anti-wrinkles, skin conditioning, skin firming, weight loss and weight maintenance, namely, pills, capsules, gel caps and tablets; antibacterial hand lotions, antibacterial alcohol skin sanitizer gel, antibacterial spray; antimicrobials for dermatological use; antimicrobial coatings to treat the growth of mold, mildew, bacteria and fungus on various surfaces; car deodorizer; household deodorizer; air deodorizer; all-purpose disinfectants; room freshener sprays

IC 021. US 002 013 023 029 030 033 040 050. G & S: Cleaning cloths

**Standard
Characters
Claimed**

**Mark
Drawing
Code** (4) STANDARD CHARACTER MARK

**Serial
Number** 77374928

Filing Date January 18, 2008

Filing Basis 44E

**Original
Filing Basis** 1B;44D

**Published
for
Opposition** November 29, 2011

**Registration
Number** 4097464

**Registration
Date** February 14, 2012

Owner (REGISTRANT) Rwachsberg Holdings Inc. CORPORATION CANADA 20 Graniteridge Road Concord, Ontario CANADA L4K5M8

**Attorney of
Record** Stephen R. Baird

Priority Date January 9, 2008

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BODY" FOR INTERNATIONAL CLASSES 3 AND 5 APART FROM THE MARK AS SHOWN

Type of

Mark Register TRADEMARK
Live/Dead Indicator PRINCIPAL
LIVE

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Typed Drawing

Word Mark CALM, COOL & CORRECTED

Goods and Services IC 005. US 006 018 044 046 051 052. G & S: **Non-medicated** skin care preparations, namely, a cream for the **treatment** of rosacea. FIRST USE: 20030630. FIRST USE IN COMMERCE: 20030630

Mark Drawing Code (1) TYPED DRAWING

Serial Number 78183078

Filing Date November 8, 2002

Filing Basis 1A

Original Filing Basis 1B

Published for Opposition December 9, 2003

Registration Number 2891888

Registration Date October 5, 2004

Owner (REGISTRANT) DermaDoctor.com CORPORATION MISSOURI 425 Washington Street Kansas City MISSOURI 64108

(LAST LISTED OWNER) DERMADOCTOR, INC. CORPORATION MISSOURI 1901 McGee
Street KANSAS CITY MISSOURI 64108

**Assignment
Recorded** ASSIGNMENT RECORDED

**Attorney of
Record** Wade Kerrigan

**Type of
Mark** TRADEMARK

Register PRINCIPAL

**Affidavit
Text** SECT 15. SECT 8 (6-YR).

**Live/Dead
Indicator** LIVE

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Word Mark CLEAR FACTOR BY PHYSICIANS SKIN SOLUTIONS

Goods and Services IC 003. US 001 004 006 050 051 052. G & S: Cosmetics and hair and skin cleansing preparations, skin and hair care preparations, namely, facial and body cleansers, toners, creams, lotions, moisturizers, soaps, sunscreens, shampoo and conditioners. FIRST USE: 20031219. FIRST USE IN COMMERCE: 20031219

IC 005. US 006 018 044 046 051 052. G & S: acne **treatments** and preparations, both medicated and **non-medicated**. FIRST USE: 20031219. FIRST USE IN COMMERCE: 20031219

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 05.03.25 - Leaf, single; Other leaves
26.11.21 - Rectangles that are completely or partially shaded

Serial Number 76490896

Filing Date February 19, 2003

Filing Basis 1A**Original
Filing Basis** 1B**Published
for
Opposition** October 14, 2003**Registration
Number** 3024088**Registration
Date** December 6, 2005**Owner** (REGISTRANT) Water's Edge Marketing, Inc. CORPORATION FLORIDA 600 Village Square
Crossing Palm Beach Gardens FLORIDA 33410**Attorney of
Record** Gregory A. Nelson**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SKIN" APART FROM THE MARK
AS SHOWN**Type of
Mark** TRADEMARK**Register** PRINCIPAL**Live/Dead
Indicator** LIVE[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)[PREV LIST](#)[CURR LIST](#)[NEXT LIST](#)[FIRST DOC](#)[PREV DOC](#)[NEXT DOC](#)[LAST DOC](#)

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COLLACARE

Word Mark COLLACARE

Goods and Services IC 005. US 006 018 044 046 051 052. G & S: Pharmaceutical, veterinary and sanitary preparations made from or incorporating collagen for the **treatment** of wounds, burns and surgery in or on the human and non human body, namely, medicated and **non-medicated** dressings, waddings, foams, films, membranes, sponges, medicated compressors, bandages and foils

IC 010. US 026 039 044. G & S: Medical and surgical instruments made from or incorporating collagen, namely, supportive surgical and medical patches, bandages, and compresses for use in skin repair and skin improvement procedures and sponges for surgical purposes, all for use on the human and non-human body

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 77966962
Filing Date March 24, 2010
Filing Basis 44E
Original Filing Basis 1B
Published for Opposition November 15, 2011
Registration Number 4092760
Registration Date January 31, 2012
Owner (REGISTRANT) Innocoll Pharmaceuticals Limited CORPORATION IRELAND Garrycastle, Athlone IDA Business & Technology Park Co. Westmeath IRELAND
Attorney of Record Ryan J. Udell
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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COLLAFILM

Word Mark COLLAFILM

Goods and Services IC 005. US 006 018 044 046 051 052. G & S: Pharmaceutical, veterinary and sanitary preparations for the **treatment** of wounds, burns and surgery on the human and non-human body; medicated and **non-medicated** dressings, waddings, foams, films, membranes, sponges, medicated compressors, bandages and foils; creams, lotions and gels made of or incorporating collagen for topical use; surgical implants comprising organic material, namely, collagen for use in skin repair and skin improvement; surgical and medical implant devices comprising organic material composed of collagen

IC 042. US 100 101. G & S: Medical and scientific research services in the field of collagen based drug delivery systems; Medical and scientific research services for medical, veterinary and pharmaceutical purposes, scientific research, namely, chemistry and biochemistry, consultancy services relating to scientific research into the development of medical and surgical products, contract scientific research services, scientific research and development of medical and surgical products for others, laboratory scientific research services relating to medical and surgical products, industrial analysis services, namely, collagen based analysis services for medical, veterinary and pharmaceutical purposes

Standard Characters

Claimed**Mark****Drawing Code** (4) STANDARD CHARACTER MARK**Serial Number** 85080526**Filing Date** July 8, 2010**Filing Basis** 44E**Original Filing Basis** 1B**Published for Opposition** July 12, 2011**Registration Number** 4097805**Registration Date** February 14, 2012**Owner** (REGISTRANT) Innocoll Technologies Limited COMPANY IRELAND Gallowstown IDA Business & Technology Park Co. Roscommon IRELAND**Attorney of Record** Ryan Udell**Type of Mark** TRADEMARK. SERVICE MARK**Register** PRINCIPAL**Live/Dead Indicator** LIVE[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)[PREV LIST](#)[CURR LIST](#)[NEXT LIST](#)[FIRST DOC](#)[PREV DOC](#)[NEXT DOC](#)[LAST DOC](#)[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



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CollaGUARD

Word Mark

COLLAGUARD

Goods and Services

IC 005. US 006 018 044 046 051 052. G & S: Pharmaceutical, veterinary and sanitary preparations made from or incorporating collagen for the **treatment** of wounds, burns and surgery in or on the human and non-human body, namely, medicated and **non-medicated** dressings, wadding, foams, films, membranes, sponges, medicated compresses, bandages and foils

IC 010. US 026 039 044. G & S: Medical and surgical instruments, namely, supportive surgical and medical patches, bandages, and compresses for use in skin repair and skin improvement procedures and sponges for surgical purposes, all for use on the human and non-human body

Standard Characters Claimed

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Trademark Search Facility

Classification Code LETTER-3-OR-MORE COLLA Combination of three or more letters as part of the mark

Serial Number 77297418

Filing Date October 5, 2007

Filing Basis 44E

Original Filing Basis 1B;44E

Published for Opposition February 17, 2009

Registration Number 3662407

Registration Date August 4, 2009

Owner (REGISTRANT) INNOCOLL PHARMACEUTICALS LIMITED CORPORATION IRELAND IDA Business & Technology Park Garrycastle Athlone Co. Westmeath IRELAND

Attorney of Record Ryan Udell

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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CollaRx

Word Mark
Goods and Services

COLLARX

IC 005. US 006 018 044 046 051 052. G & S: Pharmaceutical, veterinary and sanitary preparations made from or incorporating collagen for the **treatment** of wounds, burns and surgery in or on the human and non-human body, namely, medicated and **non-medicated** dressings, wadding, foams, films, membranes, sponges, medicated compresses, bandages and foils

IC 042. US 100 101. G & S: Medical and scientific research services for medical, veterinary and pharmaceutical purposes, scientific research, namely, chemistry and biochemistry, consultancy services relating to scientific research into the development of medical and surgical products, contract scientific research services, scientific research and development of medical and surgical products for others, laboratory scientific research services relating to medical and surgical products, industrial analysis services, namely, collagen based analysis services for medical, veterinary and pharmaceutical purposes

IC 044. US 100 101. G & S: Medical assistance services, namely, pharmaceutical and veterinary assistance services

Standard Characters

Claimed Mark Drawing Code (4) STANDARD CHARACTER MARK

Trademark Search Facility Classification Code LETS-2 RX Two letters or combinations of multiples of two letters
NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks

Serial Number 77266980

Filing Date August 29, 2007

Filing Basis 44E

Original Filing Basis 44E

Published for Opposition February 3, 2009

Registration Number 3608135

Registration Date April 21, 2009

Owner (REGISTRANT) Innocoll Technologies Limited CORPORATION IRELAND Castlerea Road
IDA Business & Technology Park Gallowstown, Roscommon IRELAND

Attorney of Record Ryan Udell

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Defense where it matters most

Word Mark DEFENSE WHERE IT MATTERS MOST
Goods and Services IC 003. US 001 004 006 050 051 052. G & S: Cleansing creams. FIRST USE: 20110124. FIRST USE IN COMMERCE: 20110124
 IC 005. US 006 018 044 046 051 052. G & S: **Non-medicated** topical gel for the prevention and **treatment** of cold and flu. FIRST USE: 20110124. FIRST USE IN COMMERCE: 20110124
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 85240908
Filing Date February 12, 2011
Filing Basis 1A
Original Filing Basis 1A

Published for Opposition June 21, 2011
Registration Number 4022673
Registration Date September 6, 2011
Owner (REGISTRANT) Nuance Health, LLC DBA Nuance Health, LLC LIMITED LIABILITY COMPANY FLORIDA P.O. Box 2359 Ponte Vedra Beach FLORIDA 32004
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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DRBRAHM'S

Word Mark	DRBRAHM'S
Goods and Services	IC 005. US 006 018 044 046 051 052. G & S: Medicated lotions for the face, and body; Non-medicated, therapeutic skin creams for the treatment of anti-aging, eyes, fading, acne, and sun damage; medicated skin care preparations. FIRST USE: 20110427. FIRST USE IN COMMERCE: 20110427
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85118906
Filing Date	August 30, 2010
Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	February 22, 2011
Registration Number	3982741
Registration	June 21, 2011

Date

Owner (REGISTRANT) The Brahm Group, L.L.C. LIMITED LIABILITY COMPANY
FLORIDA Ste. 200 6301 Biscayne Blvd. Miami FLORIDA 33138

Attorney of Record Ruben Alcoba

Type of Mark TRADEMARK

Register PRINCIPAL

Other Data The name "DR. BRAHM'S" identifies a living individual whose consent is of record.

Live/Dead Indicator LIVE

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EASYNURSE**Word Mark** EASYNURSE**Goods and Services** IC 005. US 006 018 044 046 051 052. G & S: **Non-medicated** preparations for topical **treatment** of burns, scratches, minor cuts and wounds, dry, chapped and cracked skin. FIRST USE: 20021215. FIRST USE IN COMMERCE: 20021215**Standard Characters Claimed****Mark Drawing Code** (4) STANDARD CHARACTER MARK**Serial Number** 78405138**Filing Date** April 20, 2004**Filing Basis** 1A**Original Filing Basis** 1A**Published**

for November 8, 2005

Opposition

**Registration
Number** 3053260

**Registration
Date** January 31, 2006

Owner (REGISTRANT) Herbalan, Inc CORPORATION NEW YORK 16 North Main Street New City
NEW YORK 10956

(LAST LISTED OWNER) EASYNURSE PRODUCTS, INC. CORPORATION NEW YORK 7
BUTTERMAN PL. #201 MONSEY NEW YORK 10952

**Assignment
Recorded** ASSIGNMENT RECORDED

**Attorney of
Record** Jess M. Collen

**Type of
Mark** TRADEMARK

Register PRINCIPAL

**Affidavit
Text** SECT 15. SECT 8 (6-YR).

**Live/Dead
Indicator** LIVE

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Typed Drawing

Word Mark FIRST LINE

Goods and Services

(CANCELLED) IC 005. US 006 018 044 046 051 052. G & S: Prescription pharmaceutical preparations, namely, those for use in the treatment and prevention of cancer, infectious diseases, asthma, diabetes, arthritis, glaucoma, osteoporosis, hypertension, emphysema, menopause, allergy, cardiovascular diseases, and inflammatory diseases and for use as anesthetics and analgesics; non-prescription pharmaceutical preparations, namely, bronchial mist, canned liquid nutrition for use as a meal replacement, eye drops, artificial tears, eyewash, eye lubricant, liquid pediatric electrolyte, saline solution for contact lenses, daily cleaner for contact lenses, medicated and **non-medicated** disposable liquid douche, cough and cold preparations for adults and children, acetaminophen for adults and children, acetaminophen drops for adults and infants, aspirin and buffered aspirin, enteric-coated aspirin, allergy tablets, nasal decongestants and sprays, antihistamines, antidiarrheal preparations, liquid bismuth dairy digestive supplements, cold and allergy liquid elixirs, fiber powder for use as a laxative, ibuprofen, liquid antacid, non-aspirin cold, flu and sinus preparations, pediatric and adult pain relievers, expectorants, throat syrups, throat lozenges, cough suppressants, liquid preparations for coughs and colds, miconazole, miconazole nitrate cream, minoxidil, glucose for the medical treatment of low blood sugar, milk of magnesia, laxatives, stool softeners, anesthetic creams, anti-itch preparations, antibiotic preparations, athlete's foot preparations, bacitracin ointment, calamine lotion, cool/hot ointments and muscle rubs, diaper rash ointments, drawing salves, infant gas relief drops, 1% hydrocortisone preparations, liquid wart remover, povidone solution for use as an anti-infective, vitamins A and D ointment, vaporizing ointment, zinc oxide ointment, acne medication, pads, and cream, antiseptic mouth rinse, jelly for use as a personal lubricant, vaginal cream, medicated skin cream, magnesium citrate for use as a laxative, peroxide for medical use, glycerine for use as a laxative, isopropyl alcohol and ethyl alcohol for medical use on skin, witch hazel and hydrogen

peroxide for medical use, **therapeutic** skin preparations, medicated powders, anti-gas and antacid preparations, calcium antacid tablets, heartburn relief tablets, alertness tablets, sleeping tablets, motion sickness tablets, glycerin suppositories, medicated callous and corn removers, epsom salts, ovulation predictor kits, clotrimazole cream, alcohol swabs for medical use, antibacterial soap, capsaicin liquid, arthritis cream, medicated, dandruff, and lice killing shampoo, boric acid powder for medical use, iodine, salt tablets, medicated rubbing compound, mineral oils, rectal suppositories, anti-allergy tablets for symptomatic relief of upper respiratory allergies, topical anesthetic creams and ointments, anti-cavity and anti-plaque mouth rinses, appetite suppressants, analgesics tablets and elixirs; vitamins, minerals and natural dietary and herbal supplements. FIRST USE: 19981111. FIRST USE IN COMMERCE: 19981111

Mark Drawing Code (1) TYPED DRAWING

Serial Number 75514012

Filing Date July 6, 1998

Filing Basis 1A

Original Filing Basis 1B

Published for Opposition November 23, 1999

Registration Number 2418013

Registration Date January 2, 2001

Owner (REGISTRANT) RETIRED PERSONS SERVICES, INC. NOT FOR PROFIT CORPORATION D.C. 500 MONTGOMERY STREET ALEXANDRIA VIRGINIA 22314

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record JAMES R GUERETTE

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PHARMACY" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator DEAD

Cancellation Date October 6, 2007

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Serial Number: 75514012 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2418013

Mark (words only): FIRST LINE

Standard Character claim: No

Current Status: Registration cancelled because registrant did not file an acceptable declaration under Section 8. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Date of Status: 2007-10-06

Filing Date: 1998-07-06

Transformed into a National Application: No

Registration Date: 2001-01-02

Register: Principal

Law Office Assigned: LAW OFFICE 112

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-07-24

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. RETIRED PERSONS SERVICES, INC.

Address:

RETIRED PERSONS SERVICES, INC.

500 MONTGOMERY STREET

ALEXANDRIA, VA 22314

United States

Legal Entity Type: NOT FOR PROFIT CORPORATION

State or Country Where Organized: D.C.

GOODS AND/OR SERVICES

International Class: 005**Class Status:** Section 8 - Cancelled

Prescription pharmaceutical preparations, namely, those for use in the treatment and prevention of cancer, infectious diseases, asthma, diabetes, arthritis, glaucoma, osteoporosis, hypertension, emphysema, menopause, allergy, cardiovascular diseases, and inflammatory diseases and for use as anesthetics and analgesics; non-prescription pharmaceutical preparations, namely, bronchial mist, canned liquid nutrition for use as a meal replacement, eye drops, artificial tears, eyewash, eye lubricant, liquid pediatric electrolyte, saline solution for contact lenses, daily cleaner for contact lenses, medicated and non-medicated disposable liquid douche, cough and cold preparations for adults and children, acetaminophen for adults and children, acetaminophen drops for adults and infants, aspirin and buffered aspirin, enteric-coated aspirin, allergy tablets, nasal decongestants and sprays, antihistamines, antidiarrheal preparations, liquid bismuth dairy digestive supplements, cold and allergy liquid elixirs, fiber powder for use as a laxative, ibuprofen, liquid antacid, non-aspirin cold, flu and sinus preparations, pediatric and adult pain relievers, expectorants, throat syrups, throat lozenges, cough suppressants, liquid preparations for coughs and colds, miconazole, miconazole nitrate cream, minoxidil, glucose for the medical treatment of low blood sugar, milk of magnesia; laxatives, stool softeners, anesthetic creams, anti-itch preparations, antibiotic preparations, athlete's foot preparations, bacitracin ointment, calamine lotion, cool/hot ointments and muscle rubs, diaper rash ointments, drawing salves, infant gas relief drops, 1% hydrocortisone preparations, liquid wart remover, povidone solution for use as an anti-infective, vitamins A and D ointment, vaporizing ointment, zinc oxide ointment, acne medication, pads, and cream, antiseptic mouth rinse, jelly for use as a personal lubricant, vaginal cream, medicated skin cream, magnesium citrate for use as a laxative, peroxide for medical use, glycerine for use as a laxative, isopropyl alcohol and ethyl alcohol for medical use on skin, witch hazel and hydrogen peroxide for medical use, therapeutic skin preparations, medicated powders, anti-gas and antacid preparations, calcium antacid tablets, heartburn relief tablets, alertness tablets, sleeping tablets, motion sickness tablets, glycerin suppositories, medicated callous and corn removers, epsom salts, ovulation predictor kits, clotrimazole cream, alcohol swabs for medical use, antibacterial soap, capsaicin liquid, arthritis cream, medicated, dandruff, and lice killing shampoo, boric acid powder for medical use, iodine, salt tablets, medicated rubbing compound, mineral oils, rectal suppositories, anti-allergy tablets for symptomatic relief of upper respiratory allergies, topical anesthetic creams and ointments, anti-cavity and anti-plaque mouth rinses, appetite suppressants, analgesics tablets and elixirs; vitamins, minerals and natural dietary and herbal supplements

Basis: 1(a)**First Use Date:** 1998-11-11**First Use in Commerce Date:** 1998-11-11

ADDITIONAL INFORMATION

Disclaimer: "PHARMACY"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2007-10-06 - Canceled Section 8 (6-year)

2006-07-24 - Case File In TICSRS

2001-01-02 - Registered - Principal Register

2000-11-04 - Allowed for Registration - Principal Register (SOU accepted)

2000-11-01 - Assigned To Examiner

2000-08-08 - Statement Of Use Processing Complete

2000-06-14 - Use Amendment Filed

2000-02-15 - NOA Mailed - SOU Required From Applicant

1999-11-23 - Published for opposition

1999-10-22 - Notice of publication

1999-07-01 - Approved For Pub - Principal Register

1999-06-22 - Examiner's amendment mailed

1999-06-21 - Previous Allowance Count Withdrawn

1999-06-21 - Approved For Pub - Principal Register

1999-06-07 - Examiner's amendment mailed

1999-03-01 - Non-final action mailed

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

JAMES R GUERETTE

Correspondent

JAMES R GUERETTE

LOEB & LOEB LLP

345 PARK AVE

NEW YORK NY 10154



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Word Mark FIRST LINE

Goods and Services

(CANCELLED) IC 005. US 006 018 044 046 051 052. G & S: PRESCRIPTION PHARMACEUTICAL PREPARATIONS, NAMELY, THOSE FOR USE IN THE TREATMENT AND PREVENTION OF CANCER, INFECTIOUS DISEASES, ASTHMA, DIABETES, ARTHRITIS, GLAUCOMA, OSTEOPOROSIS, HYPERTENSION, EMPHYSEMA, MENOPAUSE, ALLERGY, CARDIOVASCULAR DISEASES, AND INFLAMMATORY DISEASES AND FOR USE AS ANESTHETIC AND ANALGESICS. NON-PRESCRIPTION PHARMACEUTICAL PREPARATIONS, NAMELY, BRONCHIAL MIST, CANNED LIQUID NUTRITION FOR USE AS A MEAL REPLACEMENT, EYE DROPS, ARTIFICIAL TEARS, EYEWASH, EYE LUBRICANT, LIQUID PEDIATRIC ELECTROLYTE, SALINE SOLUTION FOR CONTACT LENSES, DAILY CLEANER FOR CONTACT LENSES, MEDICATED AND **NON-MEDICATED** DISPOSABLE LIQUID DOUCHE, COUGH AND COLD PREPARATIONS FOR ADULTS AND CHILDREN, ASPIRIN AND BUFFERED ASPIRIN, ENTERIC-COATED ASPIRIN, ALLERGY TABLETS, NASAL DECONGESTANTS AND SPRAYS, ANTIHISTAMINES, ANTIDIARRHEAL PREPARATIONS, LIQUID BISMUTH DAIRY DIGESTIVE SUPPLEMENTS, COLD AND ALLERGY LIQUID ELIXIRS, FIBER POWDER FOR USE AS A LAXATIVE, IBUPROFEN, LIQUID ANTACID, NON-ASPIRIN COLD, FLU AND SINUS PREPARATIONS, PEDIATRIC AND ADULT PAIN RELIEVERS, EXPECTORANTS, THROAT SYRUPS, THROAT LOZENGES, COUGH SUPPRESSANTS, LIQUID PREPARATIONS FOR COUGHS AND COLDS, MICONAZOLE, MICONAZOLE NITRATE CREAM, MINOXIDIL, GLUCOSE FOR THE MEDICAL TREATMENT OF LOW BLOOD SUGAR, MILK OF MAGNESIA, LAXATIVES, STOOL SOFTENERS, ANESTHETIC CREAMS, ANTI-ITCH PREPARATIONS, ANTIBIOTIC PREPARATIONS, ATHLETE'S FOOT PREPARATIONS, BACITRACIN OINTMENT, CALAMINE LOTION, COOL/HOT OINTMENTS AND MUSCLE RUBS DIAPER RASH OINTMENTS, DRAWING SALVES, INFANT

GAS RELIEF DROPS, 1% HYDROCORTISONE PREPARATIONS, LIQUID WART REMOVER, POVIDONE SOLUTION FOR USE AS ANTI-INFECTIVE, VITAMINS A AND D OINTMENT, VAPORING OINTMENT, ZINC OXIDE OINTMENT, ACNE MEDICATION, PADS, AND CREAM, ANTISEPTIC MOUTH RINSE, JELLY FOR USE AS A PERSONAL LUBRICANT, VAGINAL CREAM, MEDICATED SKIN CREAM MAGNESIUM CITRATE FOR USE AS A LAXATIVE, PEROXIDE FOR MEDICAL USE, GLYCERINE FOR USE AS A LAXATIVE, ISOPROPYL ALCOHOL AND ETHYL ALCOHOL FOR MEDICAL USE ON SKIN, WITCH HAZEL AND HYDROGEN PEROXIDE FOR MEDICAL USE, **THERAPEUTIC** SKIN PREPARATIONS, MEDICATED POWDERS, ANTI-GAS AND ANTACID PREPARATIONS, CALCIUM ANTACID TABLETS, HEARTBURN RELIEF TABLETS, ALERTNESS TABLETS, SLEEPING TABLETS. MOTION SICKNESS TABLETS, GLYCERIN SUPPOSITORIES, MEDICATED CALLOUS AND CORN REMOVERS, EPSOM SALTS, OVULATION PREDICTOR KITS FOR HOME USE, CLORTRIMAZOLE CREAM, ALCOHOL SWABS FOR MEDICAL USE, ANTIBACTERIAL SOAP, CAPSAICIN LIQUID, ARTHRITIS CREAM, MEDICATED, DANDRUFF, AND LICE KILLING SHAMPOO, BORIC ACID POWDER FOR MEDICAL USE IODINE SALT TABLETS MEDICATED ACID POWDER FOR MEDICAL USE IODINE SALT TABLETS MEDICATED RUBBING CREAM, MINERAL OILS, RECTAL SUPPOSITORIES, ANTI-ALLERGY TABLETS FOR SYMPTOMATIC RELIEF OF UPPER RESPIRATORY ALLERGIES, TOPICAL ANESTHETIC CREAMS AND OINTMENTS, ANTI-CAVITY AND ANTI-PLAQUE MOUTH RINSES, APPETITE SUPPRESSANTS, ANALGESICS TABLETS AND ELIXIRS; VITAMINS, MINERALS AND NATURAL DIETARY AND HERBAL SUPPLEMENTS. FIRST USE: 19981111. FIRST USE IN COMMERCE: 19981111

Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75631466
Filing Date	February 1, 1999
Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	July 11, 2000
Registration Number	2391003
Registration Date	October 3, 2000
Owner	(REGISTRANT) RETIRED PERSONS SERVICES, INC. CORPORATION D.C. 500 Montgomery Street Alexandria VIRGINIA 223141563
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	James R. Guerette
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	DEAD
Cancellation Date	July 7, 2007

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Serial Number: 75631466 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2391003

Mark (words only): FIRST LINE

Standard Character claim: No

Current Status: Registration cancelled because registrant did not file an acceptable declaration under Section 8. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Date of Status: 2007-07-07

Filing Date: 1999-02-01

Transformed into a National Application: No

Registration Date: 2000-10-03

Register: Principal

Law Office Assigned: LAW OFFICE 115

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-01-11

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. [RETIRED PERSONS SERVICES, INC.](#)

Address:

[RETIRED PERSONS SERVICES, INC.](#)

500 Montgomery Street

Alexandria, VA 223141563

United States

Legal Entity Type: [Corporation](#)

State or Country of Incorporation: D.C.

GOODS AND/OR SERVICES

International Class: 005**Class Status:** Section 8 - Cancelled

PRESCRIPTION PHARMACEUTICAL PREPARATIONS, NAMELY, THOSE FOR USE IN THE TREATMENT AND PREVENTION OF CANCER, INFECTIOUS DISEASES, ASTHMA, DIABETES, ARTHRITIS, GLAUCOMA, OSTEOPOROSIS, HYPERTENSION, EMPHYSEMA, MENOPAUSE, ALLERGY, CARDIOVASCULAR DISEASES, AND INFLAMMATORY DISEASES AND FOR USE AS ANESTHETIC AND ANALGESICS; NON-PRESCRIPTION PHARMACEUTICAL PREPARATIONS, NAMELY, BRONCHIAL MIST, CANNED LIQUID NUTRITION FOR USE AS A MEAL REPLACEMENT, EYE DROPS, ARTIFICIAL TEARS, EYEWASH, EYE LUBRICANT, LIQUID PEDIATRIC ELECTROLYTE, SALINE SOLUTION FOR CONTACT LENSES, DAILY CLEANER FOR CONTACT LENSES, MEDICATED AND NON-MEDICATED DISPOSABLE LIQUID DOUCHE, COUGH AND COLD PREPARATIONS FOR ADULTS AND CHILDREN, ASPIRIN AND BUFFERED ASPIRIN, ENTERIC-COATED ASPIRIN, ALLERGY TABLETS, NASAL DECONGESTANTS AND SPRAYS, ANTIHISTAMINES, ANTIDIARRHEAL PREPARATIONS, LIQUID BISMUTH DAIRY DIGESTIVE SUPPLEMENTS, COLD AND ALLERGY LIQUID ELIXIRS, FIBER POWDER FOR USE AS A LAXATIVE, IBUPROFEN, LIQUID ANTACID, NON-ASPIRIN COLD, FLU AND SINUS PREPARATIONS, PEDIATRIC AND ADULT PAIN RELIEVERS, EXPECTORANTS, THROAT SYRUPS, THROAT LOZENGES, COUGH SUPPRESSANTS, LIQUID PREPARATIONS FOR COUGHS AND COLDS, MICONAZOLE, MICONAZOLE NITRATE CREAM, MINOXIDIL, GLUCOSE FOR THE MEDICAL TREATMENT OF LOW BLOOD SUGAR, MILK OF MAGNESIA, LAXATIVES, STOOL SOFTENERS, ANESTHETIC CREAMS, ANTI-ITCH PREPARATIONS, ANTIBIOTIC PREPARATIONS, ATHLETE'S FOOT PREPARATIONS, BACITRACIN OINTMENT, CALAMINE LOTION, COOL/HOT OINTMENTS AND MUSCLE RUBS, DIAPER RASH OINTMENTS, DRAWING SALVES, INFANT GAS RELIEF DROPS, 1% HYDROCORTISONE PREPARATIONS, LIQUID WART REMOVER, POVIDONE SOLUTION FOR USE AS ANTI-INFECTIVE, VITAMINS A AND D OINTMENT, VAPORING OINTMENT, ZINC OXIDE OINTMENT, ACNE MEDICATION, PADS, AND CREAM, ANTISEPTIC MOUTH RINSE, JELLY FOR USE AS A PERSONAL LUBRICANT, VAGINAL CREAM, MEDICATED SKIN CREAM, MAGNESIUM CITRATE FOR USE AS A LAXATIVE, PEROXIDE FOR MEDICAL USE, GLYCERINE FOR USE AS A LAXATIVE, ISOPROPYL ALCOHOL AND ETHYL ALCOHOL FOR MEDICAL USE ON SKIN, WITCH HAZEL AND HYDROGEN PEROXIDE FOR MEDICAL USE, THERAPEUTIC SKIN PREPARATIONS, MEDICATED POWDERS, ANTI-GAS AND ANTACID PREPARATIONS, CALCIUM ANTACID TABLETS, HEARTBURN RELIEF TABLETS, ALERTNESS TABLETS, SLEEPING TABLETS, MOTION SICKNESS TABLETS, GLYCERIN SUPPOSITORIES, MEDICATED CALLOUS AND CORN REMOVERS, EPSOM SALTS, OVULATION PREDICTOR KITS FOR HOME USE, CLORTRIMAZOLE CREAM, ALCOHOL SWABS FOR MEDICAL USE, ANTIBACTERIAL SOAP, CAPSAICIN LIQUID, ARTHRITIS CREAM, MEDICATED, DANDRUFF, AND LICE KILLING SHAMPOO, BORIC ACID POWDER FOR MEDICAL USE, IODINE SALT TABLETS, MEDICATED ACID POWDER FOR MEDICAL USE, IODINE SALT TABLETS, MEDICATED RUBBING CREAM, MINERAL OILS, RECTAL SUPPOSITORIES, ANTI-ALLERGY TABLETS FOR SYMPTOMATIC RELIEF OF UPPER RESPIRATORY ALLERGIES, TOPICAL ANESTHETIC CREAMS AND OINTMENTS, ANTI-CAVITY AND ANTI-PLAQUE MOUTH RINSES, APPETITE SUPPRESSANTS, ANALGESICS TABLETS AND ELIXIRS; VITAMINS, MINERALS AND NATURAL DIETARY AND HERBAL SUPPLEMENTS

Basis: 1(a)**First Use Date:** 1998-11-11

First Use in Commerce Date: [1998-11-11](#)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

[2007-07-07 - Canceled Section 8 \(6-year\)](#)

[2006-01-11 - Case File In TICS](#)

[2000-10-03 - Registered - Principal Register](#)

[2000-07-11 - Published for opposition](#)

[2000-06-09 - Notice of publication](#)

[2000-03-07 - Assigned To Examiner](#)

[1999-11-08 - Approved for Pub - Principal Register \(Initial exam\)](#)

[1999-10-27 - Examiner's amendment mailed](#)

[1999-08-04 - Non-final action mailed](#)

[1999-07-14 - Assigned To Examiner](#)

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Word Mark	GEL-CARE
Goods and Services	IC 005. US 006 018 044 046 051 052. G & S: non-medicated gel sheet for the treatment and management of scars. FIRST USE: 20091009. FIRST USE IN COMMERCE: 20091009
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.01.21 - Circles that are totally or partially shaded. 26.01.31 - Circles - five or more; Five or more circles
Trademark Search Facility	NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks
Classification Code	SHAPES-BAR-BANDS Designs with bar, bands or lines SHAPES-CIRCLE Circle figures or designs including semi-circles and incomplete circles SHAPES-COLORS-2 Design listing or lined for two colors
Serial Number	77797942
Filing Date	August 5, 2009
Filing Basis	1A
Original Filing Basis	1B

Published for Opposition December 15, 2009
Registration Number 3794896
Registration Date May 25, 2010
Owner (REGISTRANT) Silipos Inc. CORPORATION DELAWARE 366 Madison Avenue New York NEW YORK 10017
Attorney of Record Brendan P. McFeely
Prior Registrations 2265643
Description of Mark The color(s) aqua and blue is/are claimed as a feature of the mark. The mark consists of the wording "GEL" and the stylized pattern of dots appear in aqua and the hyphen and wording "CARE" appear in blue.
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Typed Drawing

Word Mark	GEL-CARE
Goods and Services	IC 005. US 006 018 044 046 051 052. G & S: non-medicated gel sheet for the treatment and management of scars. FIRST USE: 19980331. FIRST USE IN COMMERCE: 19980331
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75388708
Filing Date	November 12, 1997
Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	September 22, 1998
Registration Number	2265643
Registration Date	July 27, 1999
Owner	(REGISTRANT) Silipos Inc. CORPORATION DELAWARE 7049 WILLIAMS ROAD NIAGARA FALLS NEW YORK 14304
Attorney of	

Record	Adam Cohen
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20091024.
Renewal	1ST RENEWAL 20091024
Live/Dead Indicator	LIVE

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Glory Rose
Natural Products

Word Mark GLORY ROSE NATURAL PRODUCTS

Goods and Services IC 005. US 006 018 044 046 051 052. G & S: Aromatherapy body care products for **treatment** of headaches, for relieving stress and **treatment** of insomnia, namely, body lotion, shower gel, cuticle cream, shampoo, conditioner, **non-medicated** lip balm, soap, body polish, body and foot scrub, and **non-medicated** foot cream. FIRST USE: 20100326. FIRST USE IN COMMERCE: 20100326

Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Serial Number 85000317

Filing Date March 28, 2010

Filing Basis 1A

Original Filing Basis NO FILING BASIS

Published for January 11, 2011

Opposition**Registration
Number** 3936935**Registration
Date** March 29, 2011**Owner** (REGISTRANT) Glory Rose Natural Products, LLC LIMITED LIABILITY COMPANY ARKANSAS
P.O. Box 1000, Mtn Home, AR 72654 561 Boone Trail Jordan ARKANSAS 72519**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ROSE" OR "NATURAL
PRODUCTS" APART FROM THE MARK AS SHOWN**Description
of Mark** Color is not claimed as a feature of the mark. The mark consists of the stylized wording
"GLORY ROSE" directly above the stylized wording "NATURAL PRODUCTS".**Type of
Mark** TRADEMARK**Register** PRINCIPAL**Live/Dead
Indicator** LIVE[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)[PREV LIST](#)[CURR LIST](#)[NEXT LIST](#)[FIRST DOC](#)[PREV DOC](#)[NEXT DOC](#)[LAST DOC](#)

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GYNEMEDIC

Word Mark GYNEMEDIC

Goods and Services IC 005. US 006 018 044 046 051 052. G & S: Feminine hygiene cleansing towelettes; feminine hygiene pads; gels for use as personal lubricant; meal replacement and dietary supplement drink mixes; medical lubricant, namely, vaginal lubricants; progesterone and testosterone supplement creams; **non-medicated** menstrual symptom **treatment** supplements; tampons and sanitary napkins; vitamin, herbal, dietary, and mineral supplements. FIRST USE: 20050101. FIRST USE IN COMMERCE: 20050101

Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Serial Number 76557327

Filing Date November 6, 2003

Filing Basis 1A

Original Filing Basis 1B

Published

for March 29, 2005
Opposition
Registration 3117588
Number
Registration
Date July 18, 2006
Owner (REGISTRANT) Simon, Armity INDIVIDUAL UNITED STATES 5841 East Indian Bend Paradise Valley ARIZONA 85253
Attorney of
Record Jordan M. Meschkow
Type of
Mark TRADEMARK
Register PRINCIPAL
Live/Dead
Indicator LIVE

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Typed Drawing

Word Mark HERBALAB

Goods and Services (CANCELLED) IC 005. US 006 018 044 046 051 052. G & S: **NON-MEDICATED** HERBAL SKIN CARE PREPARATIONS, NAMELY, TOPICAL SOLUTIONS FOR **TREATMENT** OF AND RELIEF FROM ECZEMA, DERMATITIS, ACNE, PSORIASIS, HERPES AND MUSCLE SORENESS; VITAMINS. FIRST USE: 19981009. FIRST USE IN COMMERCE: 20001210

Mark Drawing Code (1) TYPED DRAWING

Serial Number 75555887

Filing Date September 21, 1998

Filing Basis 1A;44E

Original Filing Basis 1B;44D

Published for Opposition March 5, 2002

Registration Number 2802603

Registration Date January 6, 2004

Owner (REGISTRANT) HERBA LAB INC. CORPORATION CANADA 2908 - 1009 EXPO BLVD.
Assignment Recorded VANCOUVER, BRITISH COLUMBIA CANADA V6Z 2V9
ASSIGNMENT RECORDED
Attorney of Record SANDRA WRIGHT
Priority Date September 16, 1998
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator DEAD
Cancellation Date August 14, 2010

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Serial Number: 75555887 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2802603

Mark (words only): HERBALAB

Standard Character claim: No

Current Status: Registration cancelled because registrant did not file an acceptable declaration under Section 8. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Date of Status: 2010-08-14

Filing Date: 1998-09-21

Transformed into a National Application: No

Registration Date: 2004-01-06

Register: Principal

Law Office Assigned: LAW OFFICE 110

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2007-06-05

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. HERBA LAB INC.

Address:

HERBA LAB INC.

2908 - 1009 EXPO BLVD.

VANCOUVER, BRITISH COLUMBIA V6Z 2V9

Canada

Legal Entity Type: Corporation

State or Country of Incorporation: Canada

GOODS AND/OR SERVICES

International Class: 005

Class Status: Section 8 - Cancelled

NON-MEDICATED HERBAL SKIN CARE PREPARATIONS, NAMELY, TOPICAL SOLUTIONS FOR TREATMENT OF AND RELIEF FROM ECZEMA, DERMATITIS, ACNE, PSORIASIS, HERPES AND MUSCLE SORENESS; VITAMINS

Basis: 1(a), 44(e)

First Use Date: 1998-10-09

First Use in Commerce Date: 2000-12-10

ADDITIONAL INFORMATION

Foreign Application Number: 890405

Foreign Registration Number: 543984

Foreign Registration Date: 2001-04-20

Country: Canada

Foreign Filing Date: 1998-09-16

Foreign Expiration Date: 2016-04-20

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-08-14 - Canceled Section 8 (6-year)

2007-06-05 - Case File In TICRS

2004-01-06 - Registered - Principal Register

2003-11-10 - Allowed for Registration - Principal Register (SOU accepted)

2003-10-31 - Assigned To Examiner

2003-10-31 - Statement Of Use Processing Complete

2003-09-26 - Use Amendment Filed

2003-09-26 - PAPER RECEIVED

2003-05-22 - Extension 2 granted

2003-04-16 - Extension 2 filed

2003-04-16 - PAPER RECEIVED

2003-02-26 - Extension 1 granted

2002-11-06 - Extension 1 filed

2002-11-06 - PAPER RECEIVED

2002-05-28 - NOA Mailed - SOU Required From Applicant

2002-03-05 - Published for opposition

2002-02-13 - Notice of publication

2001-05-23 - Section 44(d) claim - Deleted

2001-09-27 - Approved For Pub - Principal Register

2001-05-23 - Communication received from applicant

2000-12-22 - Inquiry as to suspension mailed

2000-06-22 - Letter of suspension mailed

2000-05-26 - Communication received from applicant

1999-12-20 - Inquiry as to suspension mailed

1999-12-15 - Assigned To Examiner

1999-06-07 - Letter of suspension mailed

1999-05-10 - Communication received from applicant

1999-02-10 - Non-final action mailed

1999-02-01 - Assigned To Examiner

1999-02-01 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
SANDRA WRIGHT

Correspondent
SANDRA WRIGHT
ACCUPRO TRADEMARK SERVICES
401 W GEORGE ST STE 702

VANCOUVER BRITISH COLUMBIA
CANADA V6B 5A1

Domestic Representative
JENNISON & SHULTZ, P.C.



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KOLLASTIN

Word Mark KOLLASTIN

Translations The wording "Kollastin" has no meaning in a foreign language.

Goods and Services IC 005. US 006 018 044 046 051 052. G & S: Ingredient complex for non-medical skin care preparations, namely, face creams, gels and lotions; **non-medicated** blemish and acne **treatment** creams, gels, and lotions; cleansing creams, gels, and lotions. This complex specifically excludes hair care products. FIRST USE: 20101201. FIRST USE IN COMMERCE: 20101201

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85229640

Filing Date January 30, 2011

Filing Basis 1A

Original Filing Basis 1A
Published for Opposition August 23, 2011
Registration Number 4076291
Registration Date December 27, 2011
Owner (REGISTRANT) Moelleken, Wolfgang W. INDIVIDUAL UNITED STATES 601 East Arrellaga Street, Suite 103 Santa Barbara CALIFORNIA 93103
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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LITTLE REMEDIES

Word Mark LITTLE REMEDIES
Goods and Services IC 005. US 006 018 044 046 051 052. G & S: **Non-medicated** products for infants and young children, namely, saline solutions for relief of stuffy or dry noses; stuffy nose kits consisting of saline solutions for relief of stuffy or dry noses and nasal aspirators; throat pops for relief of sore throats; chest rub to clear congestion, cough, and reduce body inflammation; and gripe water preparation for **treatment** of intestinal gas. FIRST USE: 20060331. FIRST USE IN COMMERCE: 20060331
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 77458087
Filing Date April 25, 2008
Filing Basis 1A

Original Filing Basis 1B
Published for Opposition September 30, 2008
Registration Number 3599957
Registration Date March 31, 2009
Owner (REGISTRANT) Medtech Products Inc. CORPORATION DELAWARE 90 North Broadway
Irvington NEW YORK 10533
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Micheline Kelly Johnson
Prior Registrations 2030332
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "REMEDIES" APART FROM THE
MARK AS SHOWN
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Typed Drawing

Word Mark MENTORUB
Goods and Services (CANCELLED) IC 005. US 006 018 044 046 051 052. G & S: **NON-MEDICATED** ROLL-ON OINTMENT PREPARATIONS FOR THE **TREATMENT** OF RESPIRATORY AILMENT SYMPTOMS. FIRST USE: 20000302. FIRST USE IN COMMERCE: 20000302
Mark Drawing Code (1) TYPED DRAWING
Serial Number 76133887
Filing Date September 22, 2000
Filing Basis 1A
Original Filing Basis 1A
Published for Opposition January 22, 2002
Registration Number 2561446
Registration Date April 16, 2002
Owner (REGISTRANT) GIL ROVELLI, VIVIAN INDIVIDUAL UNITED STATES 5620 KENNEDY BOULEVARD WEST NEW YORK NEW JERSEY 07093

(REGISTRANT) GIL, FRANCISCO INDIVIDUAL UNITED STATES 5620 KENNEDY
BOULEVARD WEST NEW YORK NEW JERSEY 07093

**Attorney of
Record** LAWRENCE D. MANDEL

**Type of
Mark** TRADEMARK

Register PRINCIPAL

**Live/Dead
Indicator** DEAD

**Cancellation
Date** January 24, 2009

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Serial Number: 76133887 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2561446

Mark (words only): MENTORUB

Standard Character claim: No

Current Status: Registration cancelled because registrant did not file an acceptable declaration under Section 8. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Date of Status: 2009-01-24

Filing Date: 2000-09-22

Transformed into a National Application: No

Registration Date: 2002-04-16

Register: Principal

Law Office Assigned: LAW OFFICE 105

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2007-05-11

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. GIL, FRANCISCO

Address:

GIL, FRANCISCO
5620 KENNEDY BOULEVARD
WEST NEW YORK, NJ 07093
United States

Legal Entity Type: Individual

Country of Citizenship: United States

2. GIL ROVELLI, VIVIAN

Address:

GIL ROVELLI, VIVIAN
5620 KENNEDY BOULEVARD
WEST NEW YORK, NJ 07093
United States

Legal Entity Type: Individual

Country of Citizenship: United States

GOODS AND/OR SERVICES

International Class: 005

Class Status: Section 8 - Cancelled

NON-MEDICATED ROLL-ON OINTMENT PREPARATIONS FOR THE TREATMENT OF
RESPIRATORY AILMENT SYMPTOMS

Basis: 1(a)

First Use Date: 2000-03-02

First Use in Commerce Date: 2000-03-02

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2009-01-24 - Canceled Section 8 (6-year)

2007-05-11 - Case File In TIGRS

2006-07-13 - TEAS Change Of Correspondence Received

2002-04-16 - Registered - Principal Register

2002-01-22 - Published for opposition

2002-01-02 - Notice of publication

2001-10-15 - Approved for Pub - Principal Register (Initial exam)

2001-07-23 - Communication received from applicant

2001-02-09 - Non-final action mailed

2001-02-02 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

LAWRENCE D. MANDEL

Correspondent

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Phone Number: 703-739-4900
Fax Number: 703-739-9577



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Typed Drawing

Word Mark	MOISTUREL
Goods and Services	IC 003. US 051. G & S: HAND AND BODY LOTION. FIRST USE: 19840508. FIRST USE IN COMMERCE: 19840508
	IC 005. US 018. G & S: NON-MEDICATED THERAPEUTIC HAND AND BODY LOTION PREPARATIONS. FIRST USE: 19840508. FIRST USE IN COMMERCE: 19840508
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	73487528
Filing Date	June 28, 1984
Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	July 23, 1985
Registration Number	1362813
Registration Date	October 1, 1985
Owner	(REGISTRANT) WESTWOOD PHARMACEUTICALS INC. CORPORATION DELAWARE 468 DEWITT STREET BUFFALO NEW YORK 14213
	(LAST LISTED OWNER) WARNER CHILCOTT COMPANY, LLC CORPORATION PUERTO RICO UNION STREET KM 1.1 FAJARDO PUERTO RICO 00738

Assignment

Recorded ASSIGNMENT RECORDED
Attorney of Record Mary A. Donovan
Prior Registrations 0877523;0877535;0890797
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20051201.
Renewal 1ST RENEWAL 20051201
Live/Dead Indicator LIVE

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MUMOMEGA**Word Mark** MUMOMEGA

Goods and Services IC 005. US 006 018 044 046 051 052. G & S: Pharmaceutical preparations for the **treatment** of rheumatoid arthritis, high blood pressure, diabetes, atopic eczema, inflammation, cancer, multiple sclerosis and premenstrual syndrome, and for maintaining healthy hair and skin, maintaining the circulatory system, maintaining the mind and nervous system including retinal and brain cell function, maintaining hormonal balance, maintaining normal gastrointestinal function, managing the musculoskeletal system and maintaining a healthy reproductive system; dietetic foods adapted for medical use; infants' and invalids' foods, namely, nutritional supplements in the form of drinks and chewy foods; vitamin preparations; **non-medicated** food supplements; dietary and nutritional supplements; dietary and nutritional supplements for animals; and additives to fodder for medical purposes

IC 029. US 046. G & S: Edible oils and fats; fish oil; evening primrose oil; thyme oil; and processed edible seeds

IC 031. US 001 046. G & S: Living plants and foodstuffs for animals and unprocessed edible seeds

Standard Characters

**Claimed
Mark****Drawing Code** (4) STANDARD CHARACTER MARK**Serial Number** 78549205**Filing Date** January 18, 2005**Filing Basis** 44E**Original Filing Basis** 1B;44D**Published for Opposition** January 23, 2007**Registration Number** 3285499**Registration Date** August 28, 2007**Owner** (REGISTRANT) EQUAZEN UK Limited Private Limited Company UNITED KINGDOM Lion House, Red Lion Street London UNITED KINGDOM WC1R 4GB

(LAST LISTED OWNER) VIFOR SA CORPORATION SWITZERLAND RTE DE MONCOR 10 VILLARS-SUR-GLANE SWITZERLAND 1752

Assignment Recorded ASSIGNMENT RECORDED**Attorney of Record** William H. Brewster**Priority Date** July 19, 2004**Type of Mark** TRADEMARK**Register** PRINCIPAL**Live/Dead Indicator** LIVE[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)[PREV LIST](#)[CURR LIST](#)[NEXT LIST](#)[FIRST DOC](#)[PREV DOC](#)[NEXT DOC](#)[LAST DOC](#)[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



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Word Mark	MYBODY
Goods and Services	IC 005. US 006 018 044 046 051 052. G & S: Dietary and nutritional supplements; Medicated skin care preparations; Medicated skin care preparations, namely, creams, lotions, gels, toners, cleaners and peels; Medicinal creams for skin care; Non-medicated, therapeutic skin creams for the treatment of acne; Nutraceuticals for use as a dietary supplement; Nutritional supplements for promoting healthy skin; Nutritional supplements in lotion form sold as a component of nutritional skin care products; Vaginal moisturizers; Vaginal preparations, namely, antifungals; Vaginal washes; Vitamins and vitamin preparations. FIRST USE: 20110128. FIRST USE IN COMMERCE: 20110128
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards
Serial Number	85209738
Filing Date	January 4, 2011
Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	May 3, 2011

Registration Number 4029952
Registration Date September 20, 2011
Owner (REGISTRANT) MyBody, L.L.C. LIMITED LIABILITY COMPANY ARIZONA 5080 N. 40th Street Suite 375 Phoenix ARIZONA 85018
Attorney of Record Michael D. Hool
Description of Mark The color(s) white, blue and gray is/are claimed as a feature of the mark. The mark consists of a white design heart within a blue design heart with the word "MYBODY" in gray.
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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MYBODY

Word Mark MYBODY

Goods and Services IC 005. US 006 018 044 046 051 052. G & S: Medicated skin care preparations; Medicated skin care preparations, namely, creams, lotions, gels, toners, cleaners and peels; Medicinal creams for skin care; **Non-medicated, therapeutic** skin creams for the treatment of acne; Nutritional supplements for promoting healthy skin; Nutritional supplements in lotion form sold as a component of nutritional skin care products; Vaginal moisturizers; Vaginal preparations, namely, antifungals; Vaginal washes. FIRST USE: 20110128. FIRST USE IN COMMERCE: 20110128

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85206388

Filing Date December 28, 2010

Filing Basis 1A

Original Filing Basis 1B

Published for Opposition May 3, 2011

Registration Number 4036354
Registration Date October 4, 2011
Owner (REGISTRANT) MyBody, L.L.C. LIMITED LIABILITY COMPANY ARIZONA
5080 N. 40th Street, Suite 375 Phoenix ARIZONA 85018
Attorney of Record Michael D. Hool
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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NasalGuard Allergie Block

Word Mark NASALGUARD ALLERGIE BLOCK
Goods and Services IC 005. US 006 018 044 046 051 052. G & S: **Non-medicated** topical gel for the prevention and **treatment** of allergies. FIRST USE: 19111001. FIRST USE IN COMMERCE: 19111101
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 85076164
Filing Date July 1, 2010
Filing Basis 1A
Original Filing Basis 44E
Published for Opposition December 7, 2010
Registration 4119181

**Number
Registration
Date**

March 27, 2012

Owner(REGISTRANT) TRUTEK CORP. CORPORATION NEW JERSEY 26 POLHEMUS DRIVE
HILLSBOROUGH NEW JERSEY 08844**Prior
Registrations**

2758780

DisclaimerNO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ALLERGY BLOCK" APART
FROM THE MARK AS SHOWN**Type of Mark**

TRADEMARK

Register

PRINCIPAL

**Live/Dead
Indicator**

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Typed Drawing

Word Mark	NATURE'S GATE ORGANICS
Goods and Services	IC 003. US 001 004 006 050 051 052. G & S: Hair shampoo; hair conditioners; hair rinses; sun tan lotion; after-bath splash-on, namely, skin lotion, perfume, and [body refresher;] facial masks; hand and skin lotion; skin moisturizer; skin cream; toothpaste; personal deodorants; [non-medicated scalp treatment cream; non-medicated ointment for the treatment of burns; rashes and minor skin disorders]. FIRST USE: 20010321. FIRST USE IN COMMERCE: 20010501
	IC 005. US 006 018 044 046 051 052. G & S: Non-medicated preparations for scalp care and treatment of dandruff; dandruff shampoo; medicated ointment for the treatment of burns; rashes and minor skin disorders]. FIRST USE: 20010321. FIRST USE IN COMMERCE: 20010501
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	76185454
Filing Date	December 23, 2000
Filing Basis	1A
Original Filing Basis	1B
Published for	April 16, 2002

**Opposition
Registration
Number**

2743235

**Registration
Date**

July 29, 2003

Owner(REGISTRANT) LEVLAD, INC. CORPORATION CALIFORNIA 9200 Mason Avenue
Chatsworth CALIFORNIA 91311**Assignment
Recorded**

ASSIGNMENT RECORDED

**Attorney of
Record**

ROBERT BERLINER

**Prior
Registrations**

1166898

DisclaimerNO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ORGANICS" APART FROM THE
MARK AS SHOWN**Type of Mark**

TRADEMARK

Register

PRINCIPAL

Affidavit Text

SECT 15. SECT 8 (6-YR).

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Indicator**

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Word Mark NOAH'S KINGDOM

Goods and Services (CANCELLED) IC 003. US 001 004 006 050 051 052. G & S: **non-medicated** grooming preparations for cats, dogs and birds, namely, skin and feather conditioner, shampoo and coat conditioner, shampoo and herbal coat dip, liquid coat conditioner, powder coat conditioner, **non-medicated** ear wash for pets, aromatic and herbal astringent spray skin cleanser and toner for pets. FIRST USE: 19960223. FIRST USE IN COMMERCE: 19960223

(CANCELLED) IC 005. US 006 018 044 046 051 052. G & S: vitamin, mineral and herbal supplements for cats, dogs and birds; laxatives for pets; **non-medicated** homeopathic remedies for the **treatment** of allergies, skin, itching, joint stiffness, anxiety and nervousness, and digestion in pets; and **non-medicated** herbal first aid ointment for pets. FIRST USE: 19960223. FIRST USE IN COMMERCE: 19960223

(CANCELLED) IC 031. US 001 046. G & S: food and edible treats for pets, namely, birds, dogs, and cats. FIRST USE: 19960223. FIRST USE IN COMMERCE: 19960223

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 01.15.01 - Rainbows
03.01.01 - Lions
03.01.04 - Cats, domestic Cats; Kittens
03.01.08 - Dogs; Puppies
03.03.01 - Elephants; Mammoths; Mastodons
03.03.05 - Giraffes
03.15.01 - Eagles
03.15.14 - Macaws; Parrots; Toucans
03.19.14 - Manatees; Sea lions; Seals (animals); Walruses
03.21.08 - Frogs; Toads

Serial Number 75039598

Filing Date January 2, 1996

Filing Basis 1A

Original Filing Basis 1B

Published for Opposition March 17, 1998

Registration Number 2163103

Registration Date June 9, 1998

Owner (REGISTRANT) One World Botanicals, Ltd. CORPORATION NEW JERSEY 93 West Bergen Place Red Bank NEW JERSEY 07701

Attorney of Record Harriet M. Sinton

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator DEAD

Cancellation Date March 12, 2005

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Serial Number: 75039598 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2163103

Mark



(words only): [NOAH'S KINGDOM](#)

Standard Character claim: No

Current Status: [Registration cancelled because registrant did not file an acceptable declaration under Section 8. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.](#)

Date of Status: 2005-03-12

Filing Date: 1996-01-02

Transformed into a National Application: No

Registration Date: 1998-06-09

Register: [Principal](#)

Law Office Assigned: [LAW OFFICE 105](#)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: [940 -File Information Unit](#)

Date In Location: 2000-02-10

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. [One World Botanicals, Ltd.](#)

Address:

[One World Botanicals, Ltd.](#)
[93 West Bergen Place](#)
[Red Bank, NJ 07701](#)
[United States](#)

Legal Entity Type: [Corporation](#)**State or Country of Incorporation:** [New Jersey](#)

GOODS AND/OR SERVICES

International Class: [003](#)**Class Status:** [Section 8 - Cancelled](#)

[non-medicated grooming preparations for cats, dogs and birds, namely, skin and feather conditioner, shampoo and coat conditioner, shampoo and herbal coat dip, liquid coat conditioner, powder coat conditioner, non-medicated ear wash for pets, aromatic and herbal astringent spray skin cleanser and toner for pets](#)

Basis: [1\(a\)](#)**First Use Date:** [1996-02-23](#)**First Use in Commerce Date:** [1996-02-23](#)**International Class:** [005](#)**Class Status:** [Section 8 - Cancelled](#)

[vitamin, mineral and herbal supplements for cats, dogs and birds; laxatives for pets; non-medicated homeopathic remedies for the treatment of allergies, skin, itching, joint stiffness, anxiety and nervousness, and digestion in pets; and non-medicated herbal first aid ointment for pets](#)

Basis: [1\(a\)](#)**First Use Date:** [1996-02-23](#)**First Use in Commerce Date:** [1996-02-23](#)**International Class:** [031](#)**Class Status:** [Section 8 - Cancelled](#)

[food and edible treats for pets, namely, birds, dogs, and cats](#)

Basis: [1\(a\)](#)**First Use Date:** [1996-02-23](#)**First Use in Commerce Date:** [1996-02-23](#)

ADDITIONAL INFORMATION

Design Search Code(s):[01.15.01](#) - [Rainbows](#)[03.01.01](#) - [Lions](#)[03.01.04](#) - [Cats, domestic Cats; Kittens](#)[03.01.08](#) - [Dogs; Puppies](#)[03.03.01](#) - [Elephants; Mammoths; Mastodons](#)[03.03.05](#) - [Giraffes](#)[03.15.01](#) - [Eagles](#)[03.15.14](#) - [Macaws; Parrots; Toucans](#)

03.19.14 - Manatees; Sea lions; Seals (animals); Walruses

03.21.08 - Frogs; Toads

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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2005-03-12 - Canceled Section 8 (6-year)

1998-06-09 - Registered - Principal Register

1998-03-17 - Published for opposition

1998-02-13 - Notice of publication

1998-01-13 - Approved for Pub - Principal Register (Initial exam)

1997-11-19 - Communication received from applicant

1997-10-07 - Continuation of final refusal mailed

1997-09-29 - Communication received from applicant

1997-03-27 - Final refusal mailed

1997-03-27 - Amendment to Use approved

1997-03-18 - Amendment To Use Processing Complete

1996-12-17 - Use Amendment Filed

1996-06-20 - Non-final action mailed

1996-06-17 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Harriet M. Sinton

Correspondent

Harriet M. Sinton

Suite 1800, Two Penn Center Plaza

Philadelphia, PA 19102



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Word Mark NOPSOR
Translations The wording "NOPSOR" has no meaning in a foreign language.
Goods and Services IC 003. US 001 004 006 050 051 052. G & S: Anti-aging cream; Bath soaps in liquid, solid or gel form; Beauty creams; Cosmetic soaps; Cream soaps; Face and body creams; Hair shampoo; Hand creams; Liquid soaps for hands, face and body; Medicated soaps; Natural soap bars; **Non-medicated** preparations all for the care of skin, hair and scalp; **Non-medicated** scalp treatment cream; **Non-medicated** skin care creams and lotions; **Non-medicated** skin creams; Organic soap bars; Skin cleansing cream; Soaps for personal use. FIRST USE: 20071231. FIRST USE IN COMMERCE: 20071231

 IC 005. US 006 018 044 046 051 052. G & S: Antibiotic creams; Antifungal creams for medical use; Gels, creams and solutions for dermatological use; Medicated cosmetics; Medicated creams for treating dermatological conditions; Medicated dermatological preparations and substances; Medicated shampoo; Medicated skin care preparations, namely, creams, lotions, gels, toners, cleaners and peels; Medicinal creams for skin care; **Non-medicated, therapeutic** skin creams for the treatment of psoriasis; Topical gel for medical and **therapeutic** treatment of psoriasis. FIRST USE: 20071231. FIRST USE IN COMMERCE: 20071231

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 01.11.02 - Moons, crescent; Moons, half; Partial moons, including half moons and crescent moons (not a moon with craters)
 01.15.08 - Raindrop (a single drop); Single drop (rain, tear, etc.); Teardrop (a

single drop)

Serial Number 85374209

Filing Date July 18, 2011

Filing Basis 1A

Original Filing Basis 1A

Published for Opposition January 17, 2012

Registration Number 4121124

Registration Date April 3, 2012

Owner (REGISTRANT) AGUILAR SANCHEZ, JOSE LUIS INDIVIDUAL MEXICO Av. Santa Fe 140 Casa 53 Fracc. Juriquilla Santa Fe Querétaro MEXICO

Attorney of Record Arturo Pérez-Guerrero

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the word "NOPSOR" in stylized letters. The letter "N" appears over a water drop like design. On the left side of the water drop like figure appears a half moon like design.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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NOPSOR

Word Mark NOPSOR

Translations The wording "NOPSOR" has no meaning in a foreign language.

Goods and Services IC 003. US 001 004 006 050 051 052. G & S: Bath cream; Bath soaps; Bath soaps in liquid, solid or gel form; Beauty creams; Beauty creams for body care; Face and body beauty creams; Face and body creams; Face creams; Face creams for cosmetic use; Facial cream; Hand creams; Liquid soaps; Liquid soaps for hands, face and body; Medicated soaps; **Non-medicated** skin creams; Skin creams; Soaps for body care; Soaps for personal use. FIRST USE: 20071231. FIRST USE IN COMMERCE: 20071231

IC 005. US 006 018 044 046 051 052. G & S: Antibiotic creams; Gels, creams and solutions for dermatological use; Medicated creams for treating dermatological conditions; Medicated skin care preparations, namely, creams, lotions, gels, toners, cleaners and peels; Medicinal creams for skin care; Multipurpose medicated antibiotic cream, analgesic balm and mentholated salve; **Non-medicated, therapeutic** skin creams for the treatment of psoriasis. FIRST USE: 20071231. FIRST USE IN COMMERCE: 20071231

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85374245

Filing Date July 18, 2011

Filing Basis 1A

Original Filing

Basis 1A
Published for Opposition January 17, 2012
Registration Number 4121125
Registration Date April 3, 2012
Owner (REGISTRANT) AGUILAR SANCHEZ, JOSE LUIS INDIVIDUAL MEXICO Av. Santa Fe 140 Casa 53 Fracc. Juriquilla Santa Fe Querétaro MEXICO
Attorney of Record Arturo Pérez-Guerrero
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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NT CANINE

Word Mark	NT CANINE
Goods and Services	IC 005. US 006 018 044 046 051 052. G & S: non-medicated, therapeutic powders for the treatment of skin irritation, hot spots, smelly coat and ear infection for use on pets. FIRST USE: 20110415. FIRST USE IN COMMERCE: 20110415
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85325945
Filing Date	May 20, 2011
Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	November 1, 2011
Registration Number	4087108
Registration	January 17, 2012

Date
Owner (REGISTRANT) Busfield, Kathleen INDIVIDUAL UNITED STATES 4860
Tapo Cyn Road Simi Valley CALIFORNIA 93063
Attorney of Record Ralph D. Chabot
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CANINE"
APART FROM THE MARK AS SHOWN
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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NUTRA BURN

Word Mark NUTRA BURN
Goods and Services IC 005. US 006 018 044 046 051 052. G & S: **Non-medicated** nutraceutical skin cream and spray for **treatment** of burns. FIRST USE: 20110103. FIRST USE IN COMMERCE: 20110103
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 77359384
Filing Date December 26, 2007
Filing Basis 1A
Original Filing Basis 1B
Published for Opposition November 25, 2008
Registration Number 3978441
Registration Date June 14, 2011
Owner (REGISTRANT) Lewensztain, Miriam INDIVIDUAL UNITED STATES 9507 Olympic Blvd

**Attorney of
Record**Beverly Hills CALIFORNIA 90212
Thomas I. Rozsa**Type of Mark**

TRADEMARK

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OBLITERATE

Word Mark	OBLITERATE
Goods and Services	IC 005. US 006 018 044 046 051 052. G & S: Non-medicated, therapeutic skin creams for the treatment of acne. FIRST USE: 20110128. FIRST USE IN COMMERCE: 20110128
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85072106
Filing Date	June 25, 2010
Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	November 23, 2010
Registration Number	3959800
Registration Date	May 10, 2011
Owner	(REGISTRANT) MyBody, L.L.C. LIMITED LIABILITY COMPANY ARIZONA

5080 N. 40th Street #375 Phoenix ARIZONA 85018

Attorney of Record Michael D. Hool

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Personal Protection by Choice

Word Mark	PERSONAL PROTECTION BY CHOICE
Goods and Services	IC 005. US 006 018 044 046 051 052. G & S: Antibacterial alcohol skin sanitizer gel; Antibacterial cleaners; Antibacterial hand lotions; Antibacterial handwash; Antibacterial pharmaceuticals; Antibacterial spray; Antibacterial substances for medical purposes; Antibacterial/antimicrobial tape for the purpose of destroying bacteria, mold and mildew; Medical cleansers for skin and wounds; Medicated lotions for dry skin; Medicinal creams for skin care; Non-medicated, therapeutic skin creams for the treatment of dry skin and healthy hands and feet; Pharmaceutical products for skin care for animals; Pharmaceutical skin lotions; Preparations for cleansing the skin for medical use; Products and preparations for cleansing the skin for medical use. FIRST USE: 20110201. FIRST USE IN COMMERCE: 20110601
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85276552
Filing Date	March 25, 2011
Filing Basis	1A

Original Filing Basis 1B
Published for Opposition August 2, 2011
Registration Number 4064817
Registration Date November 29, 2011
Owner (REGISTRANT) Levison, Lisa T DBA Turner Capital, Inc. INDIVIDUAL UNITED STATES Suite 102 318 Cherokee Avenue Atlanta GEORGIA 30312
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Typed Drawing

Word Mark	PROVSEAL
Goods and Services	(CANCELLED) IC 005. US 006 018 044 046 051 052. G & S: non-medicated protective dental and gingivatal barrier, coating and sealant in liquid or gel form, for preventative, prophylactic and therapeutic oral use in dogs and cats. FIRST USE: 20010601. FIRST USE IN COMMERCE: 20010901
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	78113475
Filing Date	March 8, 2002
Filing Basis	1A
Original Filing Basis	1A;1B
Published for Opposition	June 10, 2003
Registration Number	2758842
Registration Date	September 2, 2003
Owner	(REGISTRANT) Bowman, Kenneth INDIVIDUAL UNITED STATES 1714 Redwood Way Upland CALIFORNIA 91784
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	DEAD
Cancellation Date	April 10, 2010

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Serial Number: 78113475 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2758842

Mark (words only): PROVSEAL

Standard Character claim: No

Current Status: Registration cancelled because registrant did not file an acceptable declaration under Section 8. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Date of Status: 2010-04-10

Filing Date: 2002-03-08

Transformed into a National Application: No

Registration Date: 2003-09-02

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2007-07-03

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. [Bowman, Kenneth](#)

Address:

[Bowman, Kenneth](#)
[1714 Redwood Way](#)
[Upland, CA 91784](#)
[United States](#)

Legal Entity Type: [Individual](#)

Country of Citizenship: [United States](#)

Phone Number: (626) 852-9742

Fax Number: (626) 852-9842

GOODS AND/OR SERVICES

International Class: 005

Class Status: Section 8 - Cancelled

non-medicated protective dental and gingivatal barrier, coating and sealant in liquid or gel form, for preventative, prophylactic and therapeutic oral use in dogs and cats

Basis: 1(a)

First Use Date: 2001-06-01

First Use in Commerce Date: 2001-09-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-04-10 - Canceled Section 8 (6-year)

2007-07-03 - Case File In TICRS

2003-09-02 - Registered - Principal Register

2003-06-10 - Published for opposition

2003-05-21 - Notice of publication

2003-04-17 - Approved for Pub - Principal Register (Initial exam)

2003-04-17 - EXAMINERS AMENDMENT E-MAILED

2003-04-17 - Previous Allowance Count Withdrawn

2002-12-20 - Approved for Pub - Principal Register (Initial exam)

2002-12-20 - EXAMINERS AMENDMENT E-MAILED

2002-12-20 - Previous Allowance Count Withdrawn

2002-10-03 - Approved for Pub - Principal Register (Initial exam)

2002-10-01 - Communication received from applicant

2002-09-29 - Notice of unresponsive amendment e-mailed

2002-07-11 - Sec. 1(B) Claim Deleted

2002-07-11 - Communication received from applicant

2002-07-11 - PAPER RECEIVED

2002-06-29 - Non-final action e-mailed

2002-06-28 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

KENNETH BOWMAN

1714 REDWOOD WAY

UPLAND CA 91784

Phone Number: (626) 852-9742

Fax Number: (626) 852-9842



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SCARSTICK

Word Mark	SCARSTICK
Goods and Services	IC 005. US 006 018 044 046 051 052. G & S: Medicated skin care preparations; Medicated skin preparation for use in treating damaged skin and tissue; Non-medicated, therapeutic skin creams for the treatment of damaged skin and tissue; Pharmaceutical preparations and substances for the treatment of damaged skin and tissue. FIRST USE: 20060000. FIRST USE IN COMMERCE: 20060000
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85368585
Filing Date	July 12, 2011
Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	December 6, 2011
Registration Number	4102336

Registration Date February 21, 2012
Owner (REGISTRANT) Shah, Darshan R INDIVIDUAL UNITED STATES PO BOX 11630 BAKERSFIELD CALIFORNIA 93389
Attorney of Record XAVIER MORALES
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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SILICLEAR COMPLEX

Word Mark SILICLEAR COMPLEX

Goods and Services IC 005. US 006 018 044 046 051 052. G & S: **Non-medicated** cosmetic preparations in the nature of topical silicone ointments, gels and sprays for the **treatment** and prevention of scar tissue. FIRST USE: 20101201. FIRST USE IN COMMERCE: 20101201

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 77967068

Filing Date March 24, 2010

Filing Basis 1A

Original Filing Basis 1B

Published

for August 31, 2010

Opposition

**Registration
Number** 3952272

**Registration
Date** April 26, 2011

Owner (REGISTRANT) Advanced bio-Technologies, Inc. AKA ABT CORPORATION FLORIDA 317 NW Gilma Blvd., Suite 11 Issaquah WASHINGTON 98027

**Attorney of
Record** Erin M. Karp

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "COMPLEX" APART FROM THE MARK AS SHOWN

**Type of
Mark** TRADEMARK

Register PRINCIPAL

**Live/Dead
Indicator** LIVE

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The Best for Your Baby,
Naturally!

Word Mark	THE BEST FOR YOUR BABY, NATURALLY!
Goods and Services	IC 005. US 006 018 044 046 051 052. G & S: Medicated diaper rash ointments and lotions; Medicated skin preparation for use in treating infant skin problems; Non-medicated, therapeutic skin creams for the treatment of infant skin problems. FIRST USE: 20091001. FIRST USE IN COMMERCE: 20091001
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	05.03.25 - Leaf, single; Other leaves
Serial Number	85078047
Filing Date	July 5, 2010
Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	November 30, 2010
Registration Number	3964990
Registration Date	May 24, 2011
Owner	(REGISTRANT) Jonathan Posner INDIVIDUAL UNITED STATES 4613 University Drive # 454 Coral Springs FLORIDA 33067

Attorney of Record Daphne Sheridan Bass

Description of Mark The color(s) green is/are claimed as a feature of the mark. The mark consists of the wording "THE BEST FOR YOUR BABY, NATURALLY!" in green lettering with the first letter "A" in the word "NATURALLY" being in the shape of a green leaf.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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U.S. FAVORITE

Word Mark U.S. FAVORITE

Goods and Services IC 003. US 001 004 006 050 051 052. G & S: **Non-medicated** plant based hair **treatment** preparations for damaged hair, itchy scalp, dandruff, hair loss and/or gray/white hair, namely, hair balsam, hair moisturizing lotion, hair oil, hair tonic, hair shampoo, hair conditioner, hair spray, hair gel, hair mousse, hair nourisher, hair colorant; **non-medicated** animal based skin care preparations for dry skin, skin cut and scar, and for lightening skin color, namely, skin whitening cream, skin moisturizing cream, sun tan lotion, body lotion, facial cream, facial lotion, eye lotion, beauty lotion; **non-medicated** plant based sole skin **treatment** preparations for toxin discharging, namely, adhesive sole skin peel, cosmetic peel; bath soaps, beauty soap, disinfectant soaps; body and beauty care cosmetics, cosmetics, cosmetic preparations for bath and shower; detergents for household use, laundry detergents. FIRST USE: 20110328. FIRST USE IN COMMERCE: 20110328

IC 005. US 006 018 044 046 051 052. G & S: Medicated balm for relief of pain, alcohol for topical use, almond oil for relief of pain, analgesic and muscle relaxant, analgesic balm, analgesic preparations, aromatherapy oils for relieving stress, herbal topical balms, liniment and ointments for the relief of aches and pain, **non-medicated** topical balms for the **treatment** of pain and aches, liniment and ointments for relief of pain, topical analgesics, topical preparations for relief of pain, dietary and nutritional supplements, dietary food supplements,

vitamin supplements, dietary and nutritional supplements, containing fish oil, red oriental mushroom spore oil as a dietary food supplement. FIRST USE: 20110328. FIRST USE IN COMMERCE: 20110328

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85339268

Filing Date June 6, 2011

Filing Basis 1A

Original Filing Basis 1A

Published for Opposition November 22, 2011

Registration Number 4095916

Registration Date February 7, 2012

Owner (REGISTRANT) Ken Mable, Inc. CORPORATION NEW YORK 156 Flushing Avenue Brooklyn NEW YORK 11205

Attorney of Record Hanbin Wang

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "U.S." APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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ULTRA THERABALM

Word Mark	ULTRA THERABALM
Goods and Services	IC 005. US 006 018 044 046 051 052. G & S: Non-medicated poultices for therapeutic applications for and to horses. FIRST USE: 20100115. FIRST USE IN COMMERCE: 20100115
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77876056
Filing Date	November 19, 2009
Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	April 27, 2010
Registration Number	3817347
Registration Date	July 13, 2010
Owner	(REGISTRANT) Schneider Saddlery Co, Inc. CORPORATION OHIO 8255

Attorney of Record East Washington Street Chagrin Falls OHIO 44023
Michael A. Marrero
Prior Registrations 1341935;1360005;1569193;AND OTHERS
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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XARACOLL

Word Mark XARACOLL

Goods and Services IC 005. US 006 018 044 046 051 052. G & S: Pharmaceutical, veterinary and sanitary preparations for the **treatment** of wounds, burns and surgery in or on the human and non-human body, namely, medicated and **non-medicated** dressings, waddings, foams, films, membranes, sponges, medicated compresses, bandages and foils for use in skin repair and skin improvement procedures, surgical and medical implant devices made from or incorporating collagen, all for wound management and pain relief

IC 010. US 026 039 044. G & S: Medical and surgical instruments, namely, supportive surgical and medical patches, bandages, compresses and implants for use in skin repair and skin improvement procedures and sponges for surgical purposes, all for use in wound management and pain relief in or on the human or non-human body

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85080255
Filing Date July 8, 2010
Filing Basis 44E
Original Filing Basis 1B
Published for November 15, 2011
Opposition
Registration Number 4092973
Registration Date January 31, 2012
Owner (REGISTRANT) Innocoll Pharmaceuticals Limited COMPANY IRELAND Garrycastle, Athlone
IDA Business & Technology Park Co. Westmeath IRELAND
Attorney of Record Ryan Udell
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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YOUR LIFE. MORE RADIANT.

Word Mark	YOUR LIFE. MORE RADIANT.
Goods and Services	IC 003. US 001 004 006 050 051 052. G & S: Cosmetics for skin care; non-medicated skin care preparation. FIRST USE: 20100412. FIRST USE IN COMMERCE: 20100412 IC 005. US 006 018 044 046 051 052. G & S: Non-medicated therapeutic skin care products made from active ingredients, supplements, plant extracts, vitamins and minerals for treatment of DNA damage and collagen damage. FIRST USE: 20100412. FIRST USE IN COMMERCE: 20100412
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85015716
Filing Date	April 16, 2010
Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	March 15, 2011

Registration Number 3969051
Registration Date May 31, 2011
Owner (REGISTRANT) TTN, LLC LIMITED LIABILITY COMPANY
MASSACHUSETTS 428 Newburyport Turnpike Rowley MASSACHUSETTS
01969
Attorney of Record Tong Wang
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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ZETPIL

Word Mark ZETPIL

Goods and Services

IC 005. US 006 018 044 046 051 052. G & S: Caffeine preparations for stimulative use; Calcium supplements; Cardiovascular pharmaceuticals; Cardiovascular treatment preparations; Chemotherapeutics; Dietary and nutritional supplements; Dietary and nutritional supplements for endurance sports; Dietary and nutritional supplements used for weight loss; Dietary food supplements; Dietary supplements; Dietary supplements for controlling cholesterol; Fungal medications; Glaucoma agents; Headache treatment preparations; Herbal supplements; Herbal topical creams, gels, salves, sprays, powder, balms, liniment and ointments for the relief of aches and pain; Homeopathic supplements; Hormones; Lysine preparations; Medicinal herb extracts; Medicinal herbal extracts for medical purposes; Medicinal herbal preparations; Medicinal preparations for the mouth to be applied in the form of drops, capsules, tablets and compressed tablets; Medicinal roots; Medicines for the treatment of gastrointestinal diseases; Micro-nutrient animal feed; Mineral food supplements; Mineral supplements; Mixed vitamin preparations; Multi-vitamin preparations; Multivitamin preparations; Natural dietary supplements for treatment of claustrophobia; Natural herbal supplements; Natural supplements for treating candida; Natural supplements for treating depression and anxiety; Natural supplements for treating erectile dysfunction; **Non-medicated** additives for animal feed for use as nutritional supplements; **Non-medicated, therapeutic** skin creams for the treatment of sleep; Nutraceuticals for use as a dietary supplement; Nutraceuticals for use as a dietary supplement for relief of ailments; Nutritional additives for livestock feed for

medical purposes; Nutritional additives for medical purposes for use in foods and dietary supplements for human consumption; Nutritional additives for medical purposes used in foods and dietary supplements for human consumption; Nutritional additives to foodstuffs for animals, for medical purposes; Nutritional supplements. Nutritional supplements in lotion form sold as a component of nutritional skin care products; Pharmaceutical preparation for skin care; Pharmaceutical preparations acting on the central nervous system; Pharmaceutical preparations and substances for the treatment of damaged skin and tissue; Pharmaceutical preparations and substances for the treatment of psychiatric diseases and disorders; Pharmaceutical preparations for skin care; Pharmaceutical preparations for the treatment of eye diseases and conditions; Pharmaceutical preparations for the treatment of immune system related diseases and disorders; Pharmaceutical preparations for the treatment of kidney diseases; Pharmaceutical preparations for treating and preventing tendon and muscle injuries and disorders, sports related injuries, and for knee cartilage regeneration; Pharmaceutical preparations for wounds; Pharmaceutical preparations, namely, antidepressants; Pharmaceutical preparations, namely, appetite suppressants; Pharmaceutical skin lotions; Pharmaceutical solutions used in dialysis; Prenatal vitamins; Preparations for destroying parasites; Preparations for the treatment of asthma; Protein supplements; Sports cream for relief of pain; Steroids; Suppositories; Vitamin and mineral preparations for use as ingredients in the food and pharmaceutical industry; Vitamin and mineral supplements; Vitamin D preparations; Vitamin preparations; Vitamin supplements; Vitamins; Vitamins and dietary food supplements for animals; Vitamins and vitamin preparations. FIRST USE: 20030100. FIRST USE IN COMMERCE: 20030100

Standard Characters Claimed
Mark Drawing Code

(4) STANDARD CHARACTER MARK

Serial Number

85281341

Filing Date

March 30, 2011

Filing Basis

1A

Original Filing Basis

1A

Published for Opposition

August 9, 2011

Registration Number

4045198

Registration Date

October 25, 2011

Owner

(REGISTRANT) Cafarelli, David INDIVIDUAL UNITED STATES 5509 Baja Terrace Green Acres FLORIDA 33463

Attorney of Record

Matthew H. Swyers

Type of Mark

TRADEMARK

Register

PRINCIPAL

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Typed Drawing

Word Mark ZINO
Goods and Services (CANCELLED) IC 005. US 018 044. G & S: MEDICATED AND **NON-MEDICATED** SHIELDS AND PADS FOR THE **TREATMENT** OF CORNS, CALLOUSES AND BUNIONS. FIRST USE: 19230800. FIRST USE IN COMMERCE: 19230800
Mark Drawing Code (1) TYPED DRAWING
Serial Number 73627156
Filing Date October 27, 1986
Filing Basis 1A
Original Filing Basis 1A
Published for Opposition May 19, 1987
Registration Number 1451725
Registration Date August 11, 1987
Owner (REGISTRANT) SCHOLL, INC. CORPORATION DELAWARE 3030 JACKSON AVENUE MEMPHIS TENNESSEE 38151
Assignment

Recorded ASSIGNMENT RECORDED
Attorney of Record CHARLES H. OPPENHEIMER
Prior Registrations 0224953;0564679
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator DEAD
Cancellation Date February 14, 1994

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Serial Number: 73627156 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 1451725

Mark (words only): ZINO

Standard Character claim: No

Current Status: Registration cancelled because registrant did not file an acceptable declaration under Section 8. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Date of Status: 1994-02-14

Filing Date: 1986-10-27

Transformed into a National Application: No

Registration Date: 1987-08-11

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 1987-08-21

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. SCHOLL, INC.

Address:

SCHOLL, INC.
3030 JACKSON AVENUE
MEMPHIS, TN 38151
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: [005](#)

Class Status: [Section 8 - Cancelled](#)

[MEDICATED AND NON-MEDICATED SHIELDS AND PADS FOR THE TREATMENT OF CORNS, CALLOUSES AND BUNIONS](#)

Basis: [1\(a\)](#)

First Use Date: [1923-08-00](#)

First Use in Commerce Date: [1923-08-00](#)

ADDITIONAL INFORMATION

Prior Registration Number(s):

[224953](#)

[564679](#)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

[1994-02-14 - Canceled Section 8 \(6-year\)](#)

[1987-08-11 - Registered - Principal Register](#)

[1987-05-19 - Published for opposition](#)

[1987-04-17 - Notice of publication](#)

[1987-03-05 - Approved for Pub - Principal Register \(Initial exam\)](#)

[1987-02-12 - Communication received from applicant](#)

[1987-01-13 - Non-final action mailed](#)

[1986-12-24 - Assigned To Examiner](#)

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

[CHARLES H. OPPENHEIMER](#)

Correspondent

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